amendment. I find it troubling that there are some so quick to send our troops into harm's way but neglect them when they return from war. That is exactly what happened, and we saw an appropriations bill that underfunded veterans health.

The good news is that under the budget agreement we voted on this last week, that Senators in this body supported, we are going to fix the problem. It is now time to show the American people that we can govern responsibly by standing up for our veterans.

With that, I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. Madam President, I know of no further debate on the motion to proceed to H.R. 2029.

The PRESIDING OFFICER. Is there further debate?

If not, the question is on agreeing to the motion.

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

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from South Carolina (Mr. GRAHAM), the Senator from Kansas (Mr. MORAN), the Senator from Florida (Mr. RUBIO), and the Senator from Louisiana (Mr. VITTER).

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER), the Senator from Oregon (Mr. MERKLEY), and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

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

The result was announced—yeas 93, nays 0, as follows:

[Rollcall Vote No. 299 Leg.]

YEAS—93

Alexander	Feinstein	Murphy
Ayotte	Fischer	Murray
Baldwin	Flake	Nelson
Barrasso	Franken	Paul
Bennet	Gardner	Perdue
Blumenthal	Gillibrand	Peters
Blunt	Grassley	Portman
Booker	Hatch	Reed
Boozman	Heinrich	Reid
Brown	Heitkamp	Risch
Burr	Heller	Roberts
Cantwell	Hirono	Rounds
Capito	Hoeven	Sasse
Cardin	Inhofe	Schatz
Carper	Isakson	Schumer
Casey	Johnson	Scott
Cassidy	Kaine	Sessions
Coats	King	Shaheen
Cochran	Kirk	Shelby
Collins	Klobuchar	Stabenow
Coons	Lankford	Sullivan
Corker	Leahy	Tester
Cornyn	Lee	Thune
Cotton	Manchin	Tillis
Crapo	Markey	Toomey
Cruz	McCain	Udall
Daines	McCaskill	Warner
Donnelly	McConnell	Warren
Durbin	Menendez	Whitehouse
Enzi	Mikulski	Wicker
Ernst	Murkowski	Wyden

NOT VOTING—7

Boxer	Moran	Vitter
Graham	Rubio	
Merkley	Sanders	

The motion was agreed to.

MILITARY CONSTRUCTION AND VETERANS AFFAIRS AND RELATED AGENCIES APPROPRIATIONS ACT, 2016

The PRESIDING OFFICER. The clerk will report the pending business.

The bill clerk read as follows:

A bill (H.R. 2029) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

Thereupon, the Senate proceeded to consider the bill, which had been reported from the Committee on Appropriations, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2016, and for other purposes, namely:

TITLE I

DEPARTMENT OF DEFENSE

MILITARY CONSTRUCTION, ARMY

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Army as currently authorized by law, including personnel in the Army Corps of Engineers and other personal services necessary for the purposes of this appropriation, and for construction and operation of facilities in support of the functions of the Commander in Chief, $663,245,000, to remain available until September 30, 2020: Provided, That, of this amount, not to exceed $109,245,000 shall be available for study, planning, design, architect and engineer services, and host nation support, as authorized by law, unless the Secretary of the Army determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

For acquisition, construction, installation, and equipment of temporary or permanent public works, naval installations, facilities, and real property for the Navy and Marine Corps as currently authorized by law, including personnel in the Naval Facilities Engineering Command and other personal services necessary for the purposes of this appropriation, $1,619,699,000, to remain available until September 30, 2020: Provided, That, of this amount, not to exceed $91,649,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of the Navy determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, AIR FORCE

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Air Force as currently authorized by law, $1,389,185,000, to remain available until September 30, 2020: Provided, That, of this amount, not to exceed $89,164,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Air Force determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For acquisition, construction, installation, and equipment of temporary or permanent public works, installations, facilities, and real property for activities and agencies of the Department of Defense (other than the military departments), as currently authorized by law, $2,290,767,000, to remain available until September 30, 2020: Provided, That such amounts of this appropriation as may be determined by the Secretary of Defense may be transferred to such appropriations of the Department of Defense available for military construction or family housing as the Secretary may designate, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: Provided further, That, of the amount appropriated, not to exceed $160,404,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $197,237,000, to remain available until September 30, 2020: Provided, That, of the amount appropriated, not to exceed $20,337,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Director of the Army National Guard determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, AIR NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $138,738,000, to remain available until September 30, 2020: Provided, That, of the amount appropriated, not to exceed $5,104,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Director of the Air National Guard determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, ARMY RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $113,595,000, to remain available until September 30, 2020: Provided, That, of the amount appropriated, not to exceed $9,318,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Chief of the Army Reserve determines that additional obligations are necessary for such purposes and notifies the

Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, NAVY RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the reserve components of the Navy and Marine Corps as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $36,078,000, to remain available until September 30, 2020: Provided, That, of the amount appropriated, not to exceed $2,208,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of the Navy determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, AIR FORCE RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air Force Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $65,021,000, to remain available until September 30, 2020: Provided, That, of the amount appropriated, not to exceed $13,400,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Chief of the Air Force Reserve determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

For the United States share of the cost of the North Atlantic Treaty Organization Security Investment Program for the acquisition and construction of military facilities and installations (including international military headquarters) and for related expenses for the collective defense of the North Atlantic Treaty Area as authorized by section 2806 of title 10, United States Code, and Military Construction Authorization Acts, $120,000,000, to remain available until expended.

FAMILY HOUSING CONSTRUCTION, ARMY

For expenses of family housing for the Army for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, $99,695,000, to remain available until September 30, 2020.

FAMILY HOUSING OPERATION AND MAINTENANCE, ARMY

For expenses of family housing for the Army for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, $393,511,000.

FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE CORPS

For expenses of family housing for the Navy and Marine Corps for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, $16,541,000, to remain available until September 30, 2020.

FAMILY HOUSING OPERATION AND MAINTENANCE, NAVY AND MARINE CORPS

For expenses of family housing for the Navy and Marine Corps for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, $353,036,000.

FAMILY HOUSING CONSTRUCTION, AIR FORCE

For expenses of family housing for the Air Force for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, $160,498,000, to remain available until September 30, 2020.

FAMILY HOUSING OPERATION AND MAINTENANCE, AIR FORCE

For expenses of family housing for the Air Force for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, $331,232,000.

FAMILY HOUSING OPERATION AND MAINTENANCE, DEFENSE-WIDE

For expenses of family housing for the activities and agencies of the Department of Defense (other than the military departments) for operation and maintenance, leasing, and minor construction, as authorized by law, $58,668,000.

DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT

For deposit into the Department of Defense Base Closure Account 1990, established by section 2906(a) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), $251,334,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS

SEC. 101. None of the funds made available in this title shall be expended for payments under a cost-plus-a-fixed-fee contract for construction, where cost estimates exceed $25,000, to be performed within the United States, except Alaska, without the specific approval in writing of the Secretary of Defense setting forth the reasons therefor.

SEC. 102. Funds made available in this title for construction shall be available for hire of passenger motor vehicles.

SEC. 103. Funds made available in this title for construction may be used for advances to the Federal Highway Administration, Department of Transportation, for the construction of access roads as authorized by section 210 of title 23, United States Code, when projects authorized therein are certified as important to the national defense by the Secretary of Defense.

SEC. 104. None of the funds made available in this title may be used to begin construction of new bases in the United States for which specific appropriations have not been made.

SEC. 105. None of the funds made available in this title shall be used for purchase of land or land easements in excess of 100 percent of the value as determined by the Army Corps of Engineers or the Naval Facilities Engineering Command, except: (1) where there is a determination of value by a Federal court; (2) purchases negotiated by the Attorney General or the designee of the Attorney General; (3) where the estimated value is less than $25,000; or (4) as otherwise determined by the Secretary of Defense to be in the public interest.

SEC. 106. None of the funds made available in this title shall be used to: (1) acquire land; (2) provide for site preparation; or (3) install utilities for any family housing, except housing for which funds have been made available in annual Acts making appropriations for military construction.

SEC. 107. None of the funds made available in this title for minor construction may be used to transfer or relocate any activity from one base or installation to another, without prior notification to the Committees on Appropriations of both Houses of Congress.

SEC. 108. None of the funds made available in this title may be used for the procurement of steel for any construction project or activity for which American steel producers, fabricators, and manufacturers have been denied the opportunity to compete for such steel procurement.

SEC. 109. None of the funds available to the Department of Defense for military construction or family housing during the current fiscal year may be used to pay real property taxes in any foreign nation.

SEC. 110. None of the funds made available in this title may be used to initiate a new installation overseas without prior notification to the Committees on Appropriations of both Houses of Congress.

SEC. 111. None of the funds made available in this title may be obligated for architect and engineer contracts estimated by the Government to exceed $500,000 for projects to be accomplished in Japan, in any North Atlantic Treaty Organization member country, or in countries bordering the Arabian Gulf, unless such contracts are awarded to United States firms or United States firms in joint venture with host nation firms.

SEC. 112. None of the funds made available in this title for military construction in the United States territories and possessions in the Pacific and on Kwajalein Atoll, or in countries bordering the Arabian Gulf, may be used to award any contract estimated by the Government to exceed $1,000,000 to a foreign contractor: Provided, That this section shall not be applicable to contract awards for which the lowest responsive and responsible bid of a United States contractor exceeds the lowest responsive and responsible bid of a foreign contractor by greater than 20 percent: Provided further, That this section shall not apply to contract awards for military construction on Kwajalein Atoll for which the lowest responsive and responsible bid is submitted by a Marshallese contractor.

SEC. 113. The Secretary of Defense shall inform the appropriate committees of both Houses of Congress, including the Committees on Appropriations, of plans and scope of any proposed military exercise involving United States personnel 30 days prior to its occurring, if amounts expended for construction, either temporary or permanent, are anticipated to exceed $100,000.

SEC. 114. Not more than 20 percent of the funds made available in this title which are limited for obligation during the current fiscal year shall be obligated during the last 2 months of the fiscal year.

SEC. 115. Funds appropriated to the Department of Defense for construction in prior years shall be available for construction authorized for each such military department by the authorizations enacted into law during the current session of Congress.

SEC. 116. For military construction or family housing projects that are being completed with funds otherwise expired or lapsed for obligation, expired or lapsed funds may be used to pay the cost of associated supervision, inspection, overhead, engineering and design on those projects and on subsequent claims, if any.

SEC. 117. Notwithstanding any other provision of law, any funds made available to a military department or defense agency for the construction of military projects may be obligated for a military construction project or contract, or for any portion of such a project or contract, at any time before the end of the fourth fiscal year after the fiscal year for which funds for such project were made available, if the funds obligated for such project: (1) are obligated from funds available for military construction projects; and (2) do not exceed the amount appropriated for such project, plus any amount by which the cost of such project is increased pursuant to law.

(INCLUDING TRANSFER OF FUNDS)

SEC. 118. Subject to 30 days prior notification, or 14 days for a notification provided in an electronic medium pursuant to sections 480 and 2883 of title 10, United States Code, to the Committees on Appropriations of both Houses of Congress, such additional amounts as may be determined by the Secretary of Defense may be transferred to: (1) the Department of Defense Family Housing Improvement Fund from amounts appropriated for construction in ''Family Housing'' accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund; or (2) the Department of Defense Military

Unaccompanied Housing Improvement Fund from amounts appropriated for construction of military unaccompanied housing in ''Military Construction'' accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund: Provided, That appropriations made available to the Funds shall be available to cover the costs, as defined in section 502(5) of the Congressional Budget Act of 1974, of direct loans or loan guarantees issued by the Department of Defense pursuant to the provisions of subchapter IV of chapter 169 of title 10, United States Code, pertaining to alternative means of acquiring and improving military family housing, military unaccompanied housing, and supporting facilities.

(INCLUDING TRANSFER OF FUNDS)

SEC. 119. In addition to any other transfer authority available to the Department of Defense, amounts may be transferred from the accounts established by sections 2906(a)(1) and 2906A(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), to the fund established by section 1013(d) of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3374) to pay for expenses associated with the Homeowners Assistance Program incurred under 42 U.S.C. 3374(a)(1)(A). Any amounts transferred shall be merged with and be available for the same purposes and for the same time period as the fund to which transferred.

SEC. 120. Notwithstanding any other provision of law, funds made available in this title for operation and maintenance of family housing shall be the exclusive source of funds for repair and maintenance of all family housing units, including general or flag officer quarters: Provided, That not more than $35,000 per unit may be spent annually for the maintenance and repair of any general or flag officer quarters without 30 days prior notification, or 14 days for a notification provided in an electronic medium pursuant to sections 480 and 2883 of title 10, United States Code, to the Committees on Appropriations of both Houses of Congress, except that an after-the-fact notification shall be submitted if the limitation is exceeded solely due to costs associated with environmental remediation that could not be reasonably anticipated at the time of the budget submission: Provided further, That the Under Secretary of Defense (Comptroller) is to report annually to the Committees on Appropriations of both Houses of Congress all operation and maintenance expenditures for each individual general or flag officer quarters for the prior fiscal year.

SEC. 121. Amounts contained in the Ford Island Improvement Account established by subsection (h) of section 2814 of title 10, United States Code, are appropriated and shall be available until expended for the purposes specified in subsection (i)(1) of such section or until transferred pursuant to subsection (i)(3) of such section.

(INCLUDING TRANSFER OF FUNDS)

SEC. 122. During the 5-year period after appropriations available in this Act to the Department of Defense for military construction and family housing operation and maintenance and construction have expired for obligation, upon a determination that such appropriations will not be necessary for the liquidation of obligations or for making authorized adjustments to such appropriations for obligations incurred during the period of availability of such appropriations, unobligated balances of such appropriations may be transferred into the appropriation ''Foreign Currency Fluctuations, Construction, Defense'', to be merged with and to be available for the same time period and for the same purposes as the appropriation to which transferred.

SEC. 123. Amounts appropriated or otherwise made available in an account funded under the headings in this title may be transferred among projects and activities within the account in accordance with the reprogramming guidelines for military construction and family housing construction contained in Department of Defense Financial Management Regulation 7000.14–R, Volume 3, Chapter 7, of February 2009, as in effect on the date of enactment of this Act.

SEC. 124. None of the funds made available in this title may be obligated or expended for planning and design and construction of projects at Arlington National Cemetery.

SEC. 125. For an additional amount for ''Military Construction, Army'', $34,500,000, to remain available until September 30, 2020: Provided, That such funds may only be obligated to carry out construction projects, in priority order, identified in the Department of the Army's Unfunded Priority List for Fiscal Year 2016 submitted to Congress: Provided further, That such funding is subject to authorization prior to obligation and expenditure of funds to carry out construction: Provided further, That, not later than 30 days after enactment of this Act, the Secretary of the Army shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for funds provided under this section.

SEC. 126. For an additional amount for ''Military Construction, Navy and Marine Corps'', $34,320,000, to remain available until September 30, 2020: Provided, That such funds may only be obligated to carry out construction projects, in priority order, identified in the Department of the Navy's Unfunded Priority List for fiscal year 2016: Provided further, That such funding is subject to authorization prior to obligation and expenditure of funds to carry out construction: Provided further, That, not later than 30 days after enactment of this Act, the Secretary of the Navy shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for funds provided under this section.

SEC. 127. For an additional amount for ''Military Construction, Army National Guard'', $51,300,000, to remain available until September 30, 2020: Provided, That such funds may only be obligated to carry out construction projects, in priority order, identified in the Department of the Army's Unfunded Priority List for Fiscal Year 2016 submitted to Congress: Provided further, That such funding is subject to authorization prior to obligation and expenditure of funds to carry out construction: Provided further, That, not later than 30 days after enactment of this Act, the Secretary of the Army shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for funds provided under this section.

SEC. 128. For an additional amount for ''Military Construction, Army Reserve'', $34,200,000, to remain available until September 30, 2020: Provided, That such funds may only be obligated to carry out construction projects, in priority order, identified in the Department of the Army's Unfunded Priority List for Fiscal Year 2016 submitted to Congress: Provided further, That such funding is subject to authorization prior to obligation and expenditure of funds to carry out construction: Provided further, That, not later than 30 days after enactment of this Act, the Secretary of the Army shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for funds provided under this section.

(RESCISSIONS OF FUNDS)

SEC. 129. Of the unobligated balances available from prior Appropriations Acts (other than appropriations that were designated by the Congress as an emergency requirement or as being for Overseas Contingency Operations/Global War on Terrorism pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985) the following funds are hereby rescinded from the following accounts and programs in the specified amounts:

''Military Construction, Army'', $85,000,000;

''Military Construction, Air Force'', $86,400,000; and

''Military Construction, Defense-Wide'', $133,000,000.

(RESCISSION OF FUNDS)

SEC. 130. Of the unobligated balances made available in prior appropriations Acts for the fund established in section 1013(d) of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3374), $65,000,000 are hereby rescinded.

SEC. 131. Notwithstanding any other provision of law, none of the funds appropriated or otherwise made available by this or any other Act may be used to consolidate or relocate any element of a United States Air Force Rapid Engineer Deployable Heavy Operational Repair Squadron Engineer (RED HORSE) outside of the United States until the Secretary of the Air Force (1) completes an analysis and comparison of the cost and infrastructure investment required to consolidate or relocate a RED HORSE squadron outside of the United States versus within the United States; (2) provides to the Committees on Appropriations of both Houses of Congress (''the Committees'') a report detailing the findings of the cost analysis; and (3) certifies in writing to the Committees that the preferred site for the consolidation or relocation yields the greatest savings for the Air Force: Provided, That the term ''United States'' in this section does not include any territory or possession of the United States.

TITLE II

DEPARTMENT OF VETERANS AFFAIRS

VETERANS BENEFITS ADMINISTRATION

COMPENSATION AND PENSIONS

(INCLUDING TRANSFER OF FUNDS)

For the payment of compensation benefits to or on behalf of veterans and a pilot program for disability examinations as authorized by section 107 and chapters 11, 13, 18, 51, 53, 55, and 61 of title 38, United States Code; pension benefits to or on behalf of veterans as authorized by chapters 15, 51, 53, 55, and 61 of title 38, United States Code; and burial benefits, the Reinstated Entitlement Program for Survivors, emergency and other officers' retirement pay, adjusted-service credits and certificates, payment of premiums due on commercial life insurance policies guaranteed under the provisions of title IV of the Servicemembers Civil Relief Act (50 U.S.C. App. 541 et seq.) and for other benefits as authorized by sections 107, 1312, 1977, and 2106, and chapters 23, 51, 53, 55, and 61 of title 38, United States Code, $166,271,436,000, to remain available until expended, of which $87,146,761,000 shall become available on October 1, 2016: Provided, That not to exceed $15,562,000 of the amount appropriated for fiscal year 2016 and $16,021,000 of the amount made available for fiscal year 2017 under this heading shall be reimbursed to ''General Operating Expenses, Veterans Benefits Administration'', and ''Information Technology Systems'' for necessary expenses in implementing the provisions of chapters 51, 53, and 55 of title 38, United States Code, the funding source for which is specifically provided as the ''Compensation and Pensions'' appropriation: Provided further, That such sums as may be earned on an actual qualifying patient basis, shall be reimbursed to ''Medical Care Collections Fund'' to augment the funding of individual medical facilities for nursing home care provided to pensioners as authorized.

READJUSTMENT BENEFITS

For the payment of readjustment and rehabilitation benefits to or on behalf of veterans as authorized by chapters 21, 30, 31, 33, 34, 35, 36, 39, 41, 51, 53, 55, and 61 of title 38, United States Code, $32,088,826,000, to remain available until expended, of which $16,743,904,000 shall become available on October 1, 2016: Provided, That expenses for rehabilitation program services and assistance which the Secretary is authorized to

provide under subsection (a) of section 3104 of title 38, United States Code, other than under paragraphs (1), (2), (5), and (11) of that subsection, shall be charged to this account.

VETERANS INSURANCE AND INDEMNITIES

For military and naval insurance, national service life insurance, servicemen's indemnities, service-disabled veterans insurance, and veterans mortgage life insurance as authorized by chapters 19 and 21, title 38, United States Code, $169,080,000, to remain available until expended, of which $91,920,000 shall become available on October 1, 2016.

VETERANS HOUSING BENEFIT PROGRAM FUND

For the cost of direct and guaranteed loans, such sums as may be necessary to carry out the program, as authorized by subchapters I through III of chapter 37 of title 38, United States Code: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That, during fiscal year 2016, within the resources available, not to exceed $500,000 in gross obligations for direct loans are authorized for specially adapted housing loans.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, $164,558,000.

VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

For the cost of direct loans, $31,000, as authorized by chapter 31 of title 38, United States Code: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That funds made available under this heading are available to subsidize gross obligations for the principal amount of direct loans not to exceed $2,952,381.

In addition, for administrative expenses necessary to carry out the direct loan program, $367,000, which may be paid to the appropriation for ''General Operating Expenses, Veterans Benefits Administration''.

NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM ACCOUNT

For administrative expenses to carry out the direct loan program authorized by subchapter V of chapter 37 of title 38, United States Code, $1,134,000.

VETERANS HEALTH ADMINISTRATION

MEDICAL SERVICES

For necessary expenses for furnishing, as authorized by law, inpatient and outpatient care and treatment to beneficiaries of the Department of Veterans Affairs and veterans described in section 1705(a) of title 38, United States Code, including care and treatment in facilities not under the jurisdiction of the Department, and including medical supplies and equipment, bioengineering services, food services, and salaries and expenses of healthcare employees hired under title 38, United States Code, aid to State homes as authorized by section 1741 of title 38, United States Code, assistance and support services for caregivers as authorized by section 1720G of title 38, United States Code, loan repayments authorized by section 604 of the Caregivers and Veterans Omnibus Health Services Act of 2010 (Public Law 111–163; 124 Stat. 1174; 38 U.S.C. 7681 note), and hospital care and medical services authorized by section 1787 of title 38, United States Code; $1,134,197,000, which shall be in addition to funds previously appropriated under this heading that become available on October 1, 2015; and, in addition, $51,673,000,000, plus reimbursements, shall become available on October 1, 2016, and shall remain available until September 30, 2017: Provided, That, of the amount made available on October 1, 2016, under this heading, $1,400,000,000 shall remain available until September 30, 2018: Provided further, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs shall establish a priority for the provision of medical treatment for veterans who have service-connected disabilities, lower income, or have special needs: Provided further, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs shall give priority funding for the provision of basic medical benefits to veterans in enrollment priority groups 1 through 6: Provided further, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs may authorize the dispensing of prescription drugs from Veterans Health Administration facilities to enrolled veterans with privately written prescriptions based on requirements established by the Secretary: Provided further, That the implementation of the program described in the previous proviso shall incur no additional cost to the Department of Veterans Affairs: Provided further, That, of the amount made available on October 1, 2016, under this heading, not less than $900,000,000 shall be available for highly effective Hepatitis C Virus (HCV) clinical treatments including clinical treatments with modern medications that have significantly higher cure rates than older medications, are easier to prescribe, and have fewer and milder side effects.

MEDICAL SUPPORT AND COMPLIANCE

For necessary expenses in the administration of the medical, hospital, nursing home, domiciliary, construction, supply, and research activities, as authorized by law; administrative expenses in support of capital policy activities; and administrative and legal expenses of the Department for collecting and recovering amounts owed the Department as authorized under chapter 17 of title 38, United States Code, and the Federal Medical Care Recovery Act (42 U.S.C. 2651 et seq.), $6,524,000,000, plus reimbursements, shall become available on October 1, 2016, and shall remain available until September 30, 2017: Provided, That, of the amount made available on October 1, 2016, under this heading, $100,000,000 shall remain available until September 30, 2018.

MEDICAL FACILITIES

For necessary expenses for the maintenance and operation of hospitals, nursing homes, domiciliary facilities, and other necessary facilities of the Veterans Health Administration; for administrative expenses in support of planning, design, project management, real property acquisition and disposition, construction, and renovation of any facility under the jurisdiction or for the use of the Department; for oversight, engineering, and architectural activities not charged to project costs; for repairing, altering, improving, or providing facilities in the several hospitals and homes under the jurisdiction of the Department, not otherwise provided for, either by contract or by the hire of temporary employees and purchase of materials; for leases of facilities; and for laundry services, $5,074,000,000, plus reimbursements, shall become available on October 1, 2016, and shall remain available until September 30, 2017: Provided, That, of the amount made available on October 1, 2016, under this heading, $250,000,000 shall remain available until September 30, 2018.

MEDICAL AND PROSTHETIC RESEARCH

For necessary expenses in carrying out programs of medical and prosthetic research and development as authorized by chapter 73 of title 38, United States Code, $621,813,000, plus reimbursements, shall remain available until September 30, 2017.

NATIONAL CEMETERY ADMINISTRATION

For necessary expenses of the National Cemetery Administration for operations and maintenance, not otherwise provided for, including uniforms or allowances therefor; cemeterial expenses as authorized by law; purchase of one passenger motor vehicle for use in cemeterial operations; hire of passenger motor vehicles; and repair, alteration or improvement of facilities under the jurisdiction of the National Cemetery Administration, $266,220,000, of which not to exceed $26,600,000 shall remain available until September 30, 2017.

DEPARTMENTAL ADMINISTRATION

GENERAL ADMINISTRATION

(INCLUDING TRANSFER OF FUNDS)

For necessary operating expenses of the Department of Veterans Affairs, not otherwise provided for, including administrative expenses in support of Department-Wide capital planning, management and policy activities, uniforms, or allowances therefor; not to exceed $25,000 for official reception and representation expenses; hire of passenger motor vehicles; and reimbursement of the General Services Administration for security guard services, $311,591,000, of which not to exceed $10,000,000 shall remain available until September 30, 2017: Provided, That funds provided under this heading may be transferred to ''General Operating Expenses, Veterans Benefits Administration''.

BOARD OF VETERANS APPEALS

For necessary operating expenses of the Board of Veterans Appeals, $107,884,000, of which not to exceed $10,788,000 shall remain available until September 30, 2017.

GENERAL OPERATING EXPENSES, VETERANS BENEFITS ADMINISTRATION

For necessary operating expenses of the Veterans Benefits Administration, not otherwise provided for, including hire of passenger motor vehicles, reimbursement of the General Services Administration for security guard services, and reimbursement of the Department of Defense for the cost of overseas employee mail, $2,697,734,000: Provided, That expenses for services and assistance authorized under paragraphs (1), (2), (5), and (11) of section 3104(a) of title 38, United States Code, that the Secretary of Veterans Affairs determines are necessary to enable entitled veterans: (1) to the maximum extent feasible, to become employable and to obtain and maintain suitable employment; or (2) to achieve maximum independence in daily living, shall be charged to this account: Provided further, That, of the funds made available under this heading, not to exceed $160,000,000 shall remain available until September 30, 2017.

INFORMATION TECHNOLOGY SYSTEMS

For necessary expenses for information technology systems and telecommunications support, including developmental information systems and operational information systems; for pay and associated costs; and for the capital asset acquisition of information technology systems, including management and related contractual costs of said acquisitions, including contractual costs associated with operations authorized by section 3109 of title 5, United States Code, $4,106,363,000, plus reimbursements: Provided, That $1,115,757,000 shall be for pay and associated costs, of which not to exceed $34,800,000 shall remain available until September 30, 2017: Provided further, That $2,512,863,000 shall be for operations and maintenance, of which not to exceed $175,000,000 shall remain available until September 30, 2017: Provided further, That $477,743,000 shall be for information technology systems development, modernization, and enhancement, and shall remain available until September 30, 2017: Provided further, That amounts made available for information technology systems development, modernization, and enhancement may not be obligated or expended until the Secretary of Veterans Affairs or the Chief Information Officer of the Department of Veterans Affairs submits to the Committees on Appropriations of both Houses of Congress a certification of the amounts, in parts or in full, to be obligated and expended for each development project: Provided further, That amounts made available for salaries and expenses, operations and maintenance, and information technology systems development, modernization, and

enhancement may be transferred among the three subaccounts after the Secretary of Veterans Affairs requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued: Provided further, That amounts made available for the ''Information Technology Systems'' account for development, modernization, and enhancement may be transferred among projects or to newly defined projects: Provided further, That no project may be increased or decreased by more than $1,000,000 of cost prior to submitting a request to the Committees on Appropriations of both Houses of Congress to make the transfer and an approval is issued, or absent a response, a period of 30 days has elapsed: Provided further, That funds under this heading may be used by the Interagency Program Office through the Department of Veterans Affairs to develop a standard data reference terminology model: Provided further, That, of the funds made available for information technology systems development, modernization, and enhancement for VistA Evolution, not more than 25 percent may be obligated or expended until the Secretary of Veterans Affairs submits to the Committees on Appropriations of both Houses of Congress, and such Committees approve, a report that describes: (1) the status of and changes to the VistA Evolution program plan dated March 24, 2014 (hereinafter referred to as the ''Plan''), the VistA 4 product roadmap dated February 26, 2015 (''Roadmap''), and the VistA 4 Incremental Life Cycle Cost Estimate, dated October 26, 2014; (2) any changes to the scope or functionality of projects within the VistA Evolution program as established in the Plan; (3) actual program costs incurred to date; (4) progress in meeting the schedule milestones that have been established in the Plan; (5) a Project Management Accountability System (PMAS) Dashboard Progress report that identifies each VistA Evolution project being tracked through PMAS, what functionality it is intended to provide, and what evaluation scores it has received throughout development; (6) the definition being used for interoperability between the electronic health record systems of the Department of Defense and the Department of Veterans Affairs, the metrics to measure the extent of interoperability, the milestones and timeline associated with achieving interoperability, and the baseline measurements associated with interoperability; (7) progress toward developing and implementing all components and levels of interoperability, including semantic interoperability; (8) the change management tools in place to facilitate the implementation of VistA Evolution and interoperability; and (9) any changes to the governance structure for the VistA Evolution program and its chain of decisionmaking authority: Provided further, That the funds made available under this heading for information technology systems development, modernization, and enhancement, shall be for the projects, and in the amounts, specified under this heading in the report accompanying this Act.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, to include information technology, in carrying out the provisions of the Inspector General Act of 1978 (5 U.S.C. App.), $126,766,000, of which $12,676,000 shall remain available until September 30, 2017.

CONSTRUCTION, MAJOR PROJECTS

For constructing, altering, extending, and improving any of the facilities, including parking projects, under the jurisdiction or for the use of the Department of Veterans Affairs, or for any of the purposes set forth in sections 316, 2404, 2406 and chapter 81 of title 38, United States Code, not otherwise provided for, including planning, architectural and engineering services, construction management services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, where the estimated cost of a project is more than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, or where funds for a project were made available in a previous major project appropriation, $1,027,064,000, of which $967,064,000 shall remain available until September 30, 2020, and of which $60,000,000 shall remain available until expended: Provided, That except for advance planning activities, including needs assessments which may or may not lead to capital investments, and other capital asset management related activities, including portfolio development and management activities, and investment strategy studies funded through the advance planning fund and the planning and design activities funded through the design fund, including needs assessments which may or may not lead to capital investments, and salaries and associated costs of the resident engineers who oversee those capital investments funded through this account, and funds provided for the purchase of land for the National Cemetery Administration through the land acquisition line item, none of the funds made available under this heading shall be used for any project which has not been approved by the Congress in the budgetary process: Provided further, That funds made available under this heading for fiscal year 2016, for each approved project shall be obligated: (1) by the awarding of a construction documents contract by September 30, 2016; and (2) by the awarding of a construction contract by September 30, 2017: Provided further, That the Secretary of Veterans Affairs shall promptly submit to the Committees on Appropriations of both Houses of Congress a written report on any approved major construction project for which obligations are not incurred within the time limitations established above: Provided further, That, of the amount made available on October 1, 2016, under this heading, $490,700,000 for Veterans Health Administration major construction projects shall not be available until the Secretary of Veterans Affairs:

(1) Enters into an agreement with the U.S. Army Corps of Engineers, to serve as the design and construction agent for Veterans Health Administration projects with a Total Estimated Cost of $250,000,000 or above.

(2) That such an agreement will designate the U.S. Army Corps of Engineers as the design and construction agent to serve as—

(A) the overall construction project manager, with a dedicated project delivery team including engineers, medical facility designers, and professional project managers;

(B) the facility design manager, with a dedicated design manager and technical support;

(C) the design agent, with standardized and rigorous facility designs;

(D) the architect/engineer designer; and

(E) the overall construction agent, with a dedicated construction and technical team during pre-construction, construction, and commissioning phases.

(3) Certifies in writing that such an agreement is in effect and will prevent subsequent major construction project cost overruns, provides a copy of the agreement entered into (and any required supplementary information) to the Committees on Appropriations of both Houses of Congress, and a period of 60 days has elapsed.

CONSTRUCTION, MINOR PROJECTS

For constructing, altering, extending, and improving any of the facilities, including parking projects, under the jurisdiction or for the use of the Department of Veterans Affairs, including planning and assessments of needs which may lead to capital investments, architectural and engineering services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, or for any of the purposes set forth in sections 316, 2404, 2406 and chapter 81 of title 38, United States Code, not otherwise provided for, where the estimated cost of a project is equal to or less than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, $378,080,000, to remain available until September 30, 2020, along with unobligated balances of previous ''Construction, Minor Projects'' appropriations which are hereby made available for any project where the estimated cost is equal to or less than the amount set forth in such section: Provided, That funds made available under this heading shall be for: (1) repairs to any of the nonmedical facilities under the jurisdiction or for the use of the Department which are necessary because of loss or damage caused by any natural disaster or catastrophe; and (2) temporary measures necessary to prevent or to minimize further loss by such causes.

GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE FACILITIES

For grants to assist States to acquire or construct State nursing home and domiciliary facilities and to remodel, modify, or alter existing hospital, nursing home, and domiciliary facilities in State homes, for furnishing care to veterans as authorized by sections 8131 through 8137 of title 38, United States Code, $100,000,000, to remain available until expended.

GRANTS FOR CONSTRUCTION OF VETERANS CEMETERIES

For grants to assist States and tribal organizations in establishing, expanding, or improving veterans cemeteries as authorized by section 2408 of title 38, United States Code, $46,000,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

SEC. 201. Any appropriation for fiscal year 2016 for ''Compensation and Pensions'', ''Readjustment Benefits'', and ''Veterans Insurance and Indemnities'' may be transferred as necessary to any other of the mentioned appropriations: Provided, That, before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and such Committees issue an approval, or absent a response, a period of 30 days has elapsed.

(INCLUDING TRANSFER OF FUNDS)

SEC. 202. Amounts made available for the Department of Veterans Affairs for fiscal year 2016, in this Act or any other Act, under the ''Medical Services'', ''Medical support and compliance'', and ''Medical Facilities'' accounts may be transferred among the accounts: Provided, That any transfers between the ''Medical Services'' and ''Medical Support and Compliance'' accounts of 1 percent or less of the total amount appropriated to the account in this or any other Act may take place subject to notification from the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress of the amount and purpose of the transfer: Provided further, That any transfers between the ''Medical Services'' and ''Medical Support and Compliance'' accounts in excess of 1 percent, or exceeding the cumulative 1 percent for the fiscal year, may take place only after the Secretary requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued: Provided further, That any transfers to or from the ''Medical Facilities'' account may take place only after the Secretary requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

SEC. 203. Appropriations available in this title for salaries and expenses shall be available for services authorized by section 3109 of title 5, United States Code; hire of passenger motor vehicles; lease of a facility or land or both; and

uniforms or allowances therefore, as authorized by sections 5901 through 5902 of title 5, United States Code.

SEC. 204. No appropriations in this title (except the appropriations for ''Construction, Major Projects'', and ''Construction, Minor Projects'') shall be available for the purchase of any site for or toward the construction of any new hospital or home.

SEC. 205. No appropriations in this title shall be available for hospitalization or examination of any persons (except beneficiaries entitled to such hospitalization or examination under the laws providing such benefits to veterans, and persons receiving such treatment under sections 7901 through 7904 of title 5, United States Code, or the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.)), unless reimbursement of the cost of such hospitalization or examination is made to the ''Medical Services'' account at such rates as may be fixed by the Secretary of Veterans Affairs.

SEC. 206. Appropriations available in this title for ''Compensation and pensions'', ''Readjustment benefits'', and ''Veterans insurance and indemnities'' shall be available for payment of prior year accrued obligations required to be recorded by law against the corresponding prior year accounts within the last quarter of fiscal year 2015.

SEC. 207. Appropriations available in this title shall be available to pay prior year obligations of corresponding prior year appropriations accounts resulting from sections 3328(a), 3334, and 3712(a) of title 31, United States Code, except that if such obligations are from trust fund accounts they shall be payable only from ''Compensation and Pensions''.

(INCLUDING TRANSFER OF FUNDS)

SEC. 208. Notwithstanding any other provision of law, during fiscal year 2016, the Secretary of Veterans Affairs shall, from the National Service Life Insurance Fund under section 1920 of title 38, United States Code, the Veterans' Special Life Insurance Fund under section 1923 of title 38, United States Code, and the United States Government Life Insurance Fund under section 1955 of title 38, United States Code, reimburse the ''General operating expenses, Veterans Benefits Administration'' and ''Information Technology Systems'' accounts for the cost of administration of the insurance programs financed through those accounts: Provided, That reimbursement shall be made only from the surplus earnings accumulated in such an insurance program during fiscal year 2016 that are available for dividends in that program after claims have been paid and actuarially determined reserves have been set aside: Provided further, That, if the cost of administration of such an insurance program exceeds the amount of surplus earnings accumulated in that program, reimbursement shall be made only to the extent of such surplus earnings: Provided further, That the Secretary shall determine the cost of administration for fiscal year 2016 which is properly allocable to the provision of each such insurance program and to the provision of any total disability income insurance included in that insurance program.

SEC. 209. Amounts deducted from enhanced-use lease proceeds to reimburse an account for expenses incurred by that account during a prior fiscal year for providing enhanced-use lease services, may be obligated during the fiscal year in which the proceeds are received.

(INCLUDING TRANSFER OF FUNDS)

SEC. 210. Funds available in this title or funds for salaries and other administrative expenses shall also be available to reimburse the Office of Resolution Management of the Department of Veterans Affairs and the Office of Employment Discrimination Complaint Adjudication under section 319 of title 38, United States Code, for all services provided at rates which will recover actual costs but not to exceed $43,700,000 for the Office of Resolution Management and $3,400,000 for the Office of Employment Discrimination Complaint Adjudication: Provided, That payments may be made in advance for services to be furnished based on estimated costs: Provided further, That amounts received shall be credited to the ''General Administration'' and ''Information Technology Systems'' accounts for use by the office that provided the service.

(TRANSFER OF FUNDS)

SEC. 211. Of the amounts made available to the Department of Veterans Affairs for fiscal year 2016 for the Office of Rural Health under the heading ''Medical Services'', including any advance appropriation for fiscal year 2016 provided in prior appropriation Acts, up to $20,000,000 may be transferred to and merged with funds appropriated under the heading ''Grants for Construction of State Extended Care Facilities''.

SEC. 212. No funds of the Department of Veterans Affairs shall be available for hospital care, nursing home care, or medical services provided to any person under chapter 17 of title 38, United States Code, for a non-service-connected disability described in section 1729(a)(2) of such title, unless that person has disclosed to the Secretary of Veterans Affairs, in such form as the Secretary may require, current, accurate third-party reimbursement information for purposes of section 1729 of such title: Provided, That the Secretary may recover, in the same manner as any other debt due the United States, the reasonable charges for such care or services from any person who does not make such disclosure as required: Provided further, That any amounts so recovered for care or services provided in a prior fiscal year may be obligated by the Secretary during the fiscal year in which amounts are received.

(INCLUDING TRANSFER OF FUNDS)

SEC. 213. Notwithstanding any other provision of law, proceeds or revenues derived from enhanced-use leasing activities (including disposal) may be deposited into the ''Construction, Major Projects'' and ''Construction, Minor Projects'' accounts and be used for construction (including site acquisition and disposition), alterations, and improvements of any medical facility under the jurisdiction or for the use of the Department of Veterans Affairs. Such sums as realized are in addition to the amount provided for in ''Construction, Major Projects'' and ''Construction, Minor Projects''.

SEC. 214. Amounts made available under ''Medical Services'' are available—

(1) for furnishing recreational facilities, supplies, and equipment; and

(2) for funeral expenses, burial expenses, and other expenses incidental to funerals and burials for beneficiaries receiving care in the Department.

(INCLUDING TRANSFER OF FUNDS)

SEC. 215. Such sums as may be deposited to the Medical Care Collections Fund pursuant to section 1729A of title 38, United States Code, may be transferred to ''Medical Services'', to remain available until expended for the purposes of that account: Provided, That, for fiscal year 2016, up to $27,000,000 deposited in the Department of Veterans Affairs Medical Care Collections Fund shall be transferred to ''Information Technology Systems'', to remain available until expended, for development of the Medical Care Collections Fund electronic data exchange provider and payer system.

SEC. 216. The Secretary of Veterans Affairs may enter into agreements with Indian tribes and tribal organizations which are party to the Alaska Native Health Compact with the Indian Health Service, and Indian tribes and tribal organizations serving rural Alaska which have entered into contracts with the Indian Health Service under the Indian Self Determination and Educational Assistance Act, to provide healthcare, including behavioral health and dental care. The Secretary shall require participating veterans and facilities to comply with all appropriate rules and regulations, as established by the Secretary. The term ''rural Alaska'' shall mean those lands sited within the external boundaries of the Alaska Native regions specified in sections 7(a)(1)–(4) and (7)–(12) of the Alaska Native Claims Settlement Act, as amended (43 U.S.C. 1606), and those lands within the Alaska Native regions specified in sections 7(a)(5) and 7(a)(6) of the Alaska Native Claims Settlement Act, as amended (43 U.S.C. 1606), which are not within the boundaries of the municipality of Anchorage, the Fairbanks North Star Borough, the Kenai Peninsula Borough or the Matanuska Susitna Borough.

(INCLUDING TRANSFER OF FUNDS)

SEC. 217. Such sums as may be deposited to the Department of Veterans Affairs Capital Asset Fund pursuant to section 8118 of title 38, United States Code, may be transferred to the ''Construction, Major Projects'' and ''Construction, Minor Projects'' accounts, to remain available until expended for the purposes of these accounts.

SEC. 218. None of the funds made available in this title may be used to implement any policy prohibiting the Directors of the Veterans Integrated Services Networks from conducting outreach or marketing to enroll new veterans within their respective Networks.

SEC. 219. The Secretary of Veterans Affairs shall submit to the Committees on Appropriations of both Houses of Congress a quarterly report on the financial status of the Veterans Health Administration.

(INCLUDING TRANSFER OF FUNDS)

SEC. 220. Amounts made available under the ''Medical Services'', ''Medical Support and Compliance'', ''Medical Facilities'', ''General Operating Expenses, Veterans Benefits Administration'', ''General Administration'', and ''National Cemetery Administration'' accounts for fiscal year 2016 may be transferred to or from the ''Information Technology Systems'' account: Provided, That, before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

SEC. 221. None of the funds appropriated or otherwise made available by this Act or any other Act for the Department of Veterans Affairs may be used in a manner that is inconsistent with: (1) section 842 of the Transportation, Treasury, Housing and Urban Development, the Judiciary, the District of Columbia, and Independent Agencies Appropriations Act, 2006 (Public Law 109–115; 119 Stat. 2506); or (2) section 8110(a)(5) of title 38, United States Code.

SEC. 222. Of the amounts made available to the Department of Veterans Affairs for fiscal year 2016, in this Act or any other Act, under the ''Medical Facilities'' account for nonrecurring maintenance, not more than 20 percent of the funds made available shall be obligated during the last 2 months of that fiscal year: Provided, That the Secretary may waive this requirement after providing written notice to the Committees on Appropriations of both Houses of Congress.

(INCLUDING TRANSFER OF FUNDS)

SEC. 223. Of the amounts appropriated to the Department of Veterans Affairs for fiscal year 2016 for ''Medical Services'', ''Medical Support and Compliance'', ''Medical Facilities'', ''Construction, Minor Projects'', and ''Information Technology Systems'', up to $266,303,000, plus reimbursements, may be transferred to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 3571) and may be used for operation of the facilities designated as combined Federal medical facilities as described

by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500): Provided, That additional funds may be transferred from accounts designated in this section to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress: Provided further, That section 223 of Title II of Division I of Public Law 113–235 is repealed.

(INCLUDING TRANSFER OF FUNDS)

SEC. 224. Of the amounts appropriated to the Department of Veterans Affairs which become available on October 1, 2016, for ''Medical Services'', ''Medical Support and Compliance'', and ''Medical Facilities'', up to $265,675,000, plus reimbursements, may be transferred to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 3571) and may be used for operation of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500): Provided, That additional funds may be transferred from accounts designated in this section to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress.

(INCLUDING TRANSFER OF FUNDS)

SEC. 225. Such sums as may be deposited to the Medical Care Collections Fund pursuant to section 1729A of title 38, United States Code, for healthcare provided at facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500) shall also be available: (1) for transfer to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 3571); and (2) for operations of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500).

(TRANSFER OF FUNDS)

SEC. 226. Of the amounts available in this title for ''Medical Services'', ''Medical Support and Compliance'', and ''Medical Facilities'', a minimum of $15,000,000 shall be transferred to the DOD–VA Health Care Sharing Incentive Fund, as authorized by section 8111(d) of title 38, United States Code, to remain available until expended, for any purpose authorized by section 8111 of title 38, United States Code.

(INCLUDING RESCISSIONS OF FUNDS)

SEC. 227. (a) Of the funds appropriated in division I of Public Law 113–235, the following amounts which become available on October 1, 2015, are hereby rescinded from the following accounts in the amounts specified:

(1) ''Department of Veterans Affairs, Medical Services'', $1,400,000,000.

(2) ''Department of Veterans Affairs, Medical Support and Compliance'', $150,000,000.

(3) ''Department of Veterans Affairs, Medical Facilities'', $250,000,000.

(b) In addition to amounts provided elsewhere in this Act, an additional amount is appropriated to the following accounts in the amounts specified to remain available until September 30, 2017:

(1) ''Department of Veterans Affairs, Medical Services'', $1,400,000,000.

(2) ''Department of Veterans Affairs, Medical Support and Compliance'', $100,000,000.

(3) ''Department of Veterans Affairs, Medical Facilities'', $250,000,000.

SEC. 228. The Secretary of the Department of Veterans Affairs shall notify the Committees on Appropriations of both Houses of Congress of all bid savings in major construction projects that total at least $5,000,000, or 5 percent of the programmed amount of the project, whichever is less: Provided, That such notification shall occur within 14 days of a contract identifying the programmed amount: Provided further, That the Secretary shall notify the Committees on Appropriations of both Houses of Congress 14 days prior to the obligation of such bid savings and shall describe the anticipated use of such savings.

SEC. 229. The scope of work for a project included in ''Construction, Major Projects'' may not be increased above the scope specified for that project in the original justification data provided to the Congress as part of the request for appropriations.

SEC. 230. The Secretary of Veterans Affairs shall submit to the Committees on Appropriations of both Houses of Congress a quarterly report that contains the following information from each Veterans Benefits Administration Regional Office: (1) the average time to complete a disability compensation claim; (2) the number of claims pending more than 125 days; (3) error rates; (4) the number of claims personnel; (5) any corrective action taken within the quarter to address poor performance; (6) training programs undertaken; and (7) the number and results of Quality Review Team audits: Provided, That each quarterly report shall be submitted no later than 30 days after the end of the respective quarter.

SEC. 231. Of the funds provided to the Department of Veterans Affairs for fiscal year 2016 for ''Medical Services'' and ''Medical Support and Compliance'', a maximum of $5,000,000 may be obligated from the ''Medical Services'' account and a maximum of $154,596,000 may be obligated from the ''Medical Support and Compliance'' account for the VistA Evolution and electronic health record interoperability projects: Provided, That funds in addition to these amounts may be obligated for the VistA Evolution and electronic health record interoperability projects upon written notification by the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress.

SEC. 232. The Secretary of Veterans Affairs shall provide written notification to the Committees on Appropriations of both Houses of Congress 15 days prior to organizational changes which result in the transfer of 25 or more full-time equivalents from one organizational unit of the Department of Veterans Affairs to another.

SEC. 233. The Secretary of Veterans Affairs shall provide on a quarterly basis to the Committees on Appropriations of both Houses of Congress notification of any single national outreach and awareness marketing campaign in which obligations exceed $2,000,000.

SEC. 234. Not more than $4,400,000 of the funds provided in this Act under the heading ''Department of Veterans Affairs—Departmental Administration—General Administration'' may be used for the Office of Congressional and Legislative Affairs.

SEC. 235. None of the funds available to the Department of Veterans Affairs, in this or any other Act, may be used to replace the current system by which the Veterans Integrated Service Networks select and contract for diabetes monitoring supplies and equipment.

(RESCISSIONS OF FUNDS)

SEC. 236. Of the discretionary funds made available in title II of division I of Public Law 113–235 for the Department of Veterans Affairs for fiscal year 2016, $198,000,000 are rescinded from ''Medical Services'', $42,000,000 are rescinded from ''Medical Support and Compliance'', and $15,000,000 are rescinded from ''Medical Facilities''.

(RESCISSIONS OF FUNDS)

SEC. 237. (a) There is hereby rescinded an aggregate amount of $55,000,000 from the total budget authority provided for fiscal year 2016 for discretionary accounts of the Department of Veterans Affairs in—

(1) this Act; or

(2) any advance appropriation for fiscal year 2016 in prior appropriation Acts.

(b) The Secretary shall submit to the Committees on Appropriations of both Houses of Congress a report specifying the account and amount of each rescission not later than 30 days following enactment of this Act.

(RESCISSION OF FUNDS)

SEC. 238. Of the unobligated balances available within the ''DOD-VA Health Care Sharing Incentive Fund'', $50,000,000 are hereby rescinded.

(RESCISSIONS OF FUNDS)

SEC. 239. Of the discretionary funds made available in title II of division I of Public Law 113–235 for the Department of Veterans Affairs for fiscal year 2015, $1,052,000 are rescinded from ''General Administration'', and $5,000,000 are rescinded from ''Construction, Minor Projects''.

(RESCISSIONS OF FUNDS)

SEC. 240. (a) There is hereby rescinded an aggregate amount of $90,293,000 from prior year unobligated balances available within discretionary accounts of the Department of Veterans Affairs;

(b) No funds may be rescinded from amounts provided under the following headings:

(1) ''Medical Services'';

(2) ''Medical and Prosthetic Research'';

(3) ''National Cemetery Administration'';

(4) ''Board of Veterans Appeals'';

(5) ''General Operating Expenses, Veterans Benefits Administration'';

(6) ''Office of Inspector General'';

(7) ''Grants for Construction of State Extended Care Facilities''; and

(8) ''Grants for Construction of Veterans Cemeteries''.

(c) No amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

(d) The Secretary shall submit to the Committees on Appropriations of both Houses of Congress a report specifying the account and amount of each rescission not later than 30 days following enactment of this Act.

SEC. 241. Section 2302(a)(2)(A)(viii) of title 5, United States Code, is amended by inserting ''or under title 38'' after ''of this title''.

SEC. 242. The Department of Veterans Affairs is authorized to administer financial assistance grants and enter into cooperative agreements with organizations, utilizing a competitive selection process, to train and employ homeless and at-risk veterans in natural resource conservation management.

SEC. 243. Section 312 of title 38, United States Code, is amended by adding at the end the following new subsection:

''(c)(1) Whenever the Inspector General, in carrying out the duties and responsibilities established under the Inspector General Act of 1978 (5 U.S.C. App.), issues a work product that makes a recommendation or otherwise suggests corrective action, the Inspector General shall—

''(A) submit the work product to—

''(i) the Secretary;

''(ii) the Committee on Veterans' Affairs, the Committee on Homeland Security and Governmental Affairs, and the Committee on Appropriations of the Senate;

''(iii) the Committee on Veterans' Affairs, the Committee on Oversight and Government Reform, and the Committee on Appropriations of the House of Representatives;

''(iv) if the work product was initiated upon request by an individual or entity other than

the Inspector General, that individual or entity; and

''(v) any Member of Congress upon request; and

''(B) the Inspector General shall submit all final work products to—

''(i) if the work product was initiated upon request by an individual or entity other than the Inspector General, that individual or entity; and

''(ii) any Member of Congress upon request; and

''(C) not later than 3 days after the work product is submitted in final form to the Secretary, post the work product on the Internet website of the Inspector General.

''(2) Nothing in this subsection shall be construed to authorize the public disclosure of information that is specifically prohibited from disclosure by any other provision of law.''.

SEC. 244. None of the funds provided in this Act may be used to pay the salary of any individual who (a) was the Executive Director of the Office of Acquisition, Logistics and Construction, and (b) who retired from Federal service in the midst of an investigation, initiated by the Department of Veterans Affairs, into delays and cost overruns associated with the design and construction of the new medical center in Aurora, Colorado.

SEC. 245. Of the amounts appropriated or otherwise made available to the Department of Veterans Affairs for the ''Medical Services'' account for fiscal year 2016 in this Act of any other Act, not less than $10,000,000 shall be used to hire additional caregiver support coordinators to support the programs of assistance and support for caregivers of veterans under section 1720G of title 38, United States Code.

SEC. 246. None of the funds appropriated or otherwise made available to the Department of Veterans Affairs in this Act may be used in a manner that would—

(1) interfere with the ability of a veteran to participate in a State-approved medicinal marijuana program;

(2) deny any services from the Department to a veteran who is participating in such a program; or

(3) limit or interfere with the ability of a health care provider of the Department to make appropriate recommendations, fill out forms, or take steps to comply with such a program.

TITLE III

RELATED AGENCIES

AMERICAN BATTLE MONUMENTS COMMISSION

SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, including the acquisition of land or interest in land in foreign countries; purchases and repair of uniforms for caretakers of national cemeteries and monuments outside of the United States and its territories and possessions; rent of office and garage space in foreign countries; purchase (one-for-one replacement basis only) and hire of passenger motor vehicles; not to exceed $7,500 for official reception and representation expenses; and insurance of official motor vehicles in foreign countries, when required by law of such countries, $75,100,000, to remain available until expended.

FOREIGN CURRENCY FLUCTUATIONS ACCOUNT

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, such sums as may be necessary, to remain available until expended, for purposes authorized by section 2109 of title 36, United States Code.

UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS

SALARIES AND EXPENSES

For necessary expenses for the operation of the United States Court of Appeals for Veterans Claims as authorized by sections 7251 through 7298 of title 38, United States Code, $32,141,000: Provided, That $2,500,000 shall be available for the purpose of providing financial assistance as described, and in accordance with the process and reporting procedures set forth, under this heading in Public Law 102–229.

DEPARTMENT OF DEFENSE—CIVIL

CEMETERIAL EXPENSES, ARMY

SALARIES AND EXPENSES

For necessary expenses for maintenance, operation, and improvement of Arlington National Cemetery and Soldiers' and Airmen's Home National Cemetery, including the purchase or lease of passenger motor vehicles for replacement on a one-for-one basis only, and not to exceed $1,000 for official reception and representation expenses, $70,800,000, of which not to exceed $28,000,000 shall remain available until September 30, 2018. In addition, such sums as may be necessary for parking maintenance, repairs and replacement, to be derived from the ''Lease of Department of Defense Real Property for Defense Agencies'' account.

ARMED FORCES RETIREMENT HOME

TRUST FUND

For expenses necessary for the Armed Forces Retirement Home to operate and maintain the Armed Forces Retirement Home—Washington, District of Columbia, and the Armed Forces Retirement Home—Gulfport, Mississippi, to be paid from funds available in the Armed Forces Retirement Home Trust Fund, $64,300,000, of which $1,000,000 shall remain available until expended for construction and renovation of the physical plants at the Armed Forces Retirement Home—Washington, District of Columbia, and the Armed Forces Retirement Home—Gulfport, Mississippi.

ADMINISTRATIVE PROVISIONS

SEC. 301. Funds appropriated in this Act under the heading ''Department of Defense—Civil, Cemeterial Expenses, Army'', may be provided to Arlington County, Virginia, for the relocation of the federally owned water main at Arlington National Cemetery, making additional land available for ground burials.

SEC. 302. Amounts deposited during the current fiscal year to the special account established under 10 U.S.C. 4727 are appropriated and shall be available until expended to support activities at the Army National Military Cemeteries.

TITLE IV

GENERAL PROVISIONS

SEC. 401. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 402. None of the funds made available in this Act may be used for any program, project, or activity, when it is made known to the Federal entity or official to which the funds are made available that the program, project, or activity is not in compliance with any Federal law relating to risk assessment, the protection of private property rights, or unfunded mandates.

SEC. 403. Such sums as may be necessary for fiscal year 2016 for pay raises for programs funded by this Act shall be absorbed within the levels appropriated in this Act.

SEC. 404. No part of any funds appropriated in this Act shall be used by an agency of the executive branch, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, and for the preparation, distribution, or use of any kit, pamphlet, booklet, publication, radio, television, or film presentation designed to support or defeat legislation pending before Congress, except in presentation to Congress itself.

SEC. 405. All departments and agencies funded under this Act are encouraged, within the limits of the existing statutory authorities and funding, to expand their use of ''E-Commerce'' technologies and procedures in the conduct of their business practices and public service activities.

SEC. 406. Unless stated otherwise, all reports and notifications required by this Act shall be submitted to the Subcommittee on Military Construction and Veterans Affairs, and Related Agencies of the Committee on Appropriations of the House of Representatives and the Subcommittee on Military Construction and Veterans Affairs, and Related Agencies of the Committee on Appropriations of the Senate.

SEC. 407. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government except pursuant to a transfer made by, or transfer authority provided in, this or any other appropriations Act.

SEC. 408. (a) Any agency receiving funds made available in this Act, shall, subject to subsections (b) and (c), post on the public Web site of that agency any report required to be submitted by the Congress in this or any other Act, upon the determination by the head of the agency that it shall serve the national interest.

(b) Subsection (a) shall not apply to a report if—

(1) the public posting of the report compromises national security; or

(2) the report contains confidential or proprietary information.

(c) The head of the agency posting such report shall do so only after such report has been made available to the requesting Committee or Committees of Congress for no less than 45 days.

SEC. 409. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.

SEC. 410. (a) IN GENERAL.—None of the funds appropriated or otherwise made available to the Department of Defense in this Act may be used to construct, renovate, or expand any facility in the United States, its territories, or possessions to house any individual detained at United States Naval Station, Guantánamo Bay, Cuba, for the purposes of detention or imprisonment in the custody or under the control of the Department of Defense.

(b) The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantánamo Bay, Cuba.

(c) An individual described in this subsection is any individual who, as of June 24, 2009, is located at United States Naval Station, Guantánamo Bay, Cuba, and who—

(1) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(2) is—

(A) in the custody or under the effective control of the Department of Defense; or

(B) otherwise under detention at United States Naval Station, Guantánamo Bay, Cuba.

This Act may be cited as the ''Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, 2016''.

The PRESIDING OFFICER. The Senator from Illinois.

AMENDMENT NO. 2763

(Purpose: In the nature of a substitute)

Mr. KIRK. Mr. President, I call up my substitute amendment, a bipartisan bill for VA–MILCON.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Illinois [Mr. KIRK] proposes an amendment numbered 2763.

Mr. KIRK. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

AMENDMENT NO. 2764 TO AMENDMENT NO. 2763

Mr. KIRK. Mr. President, I call up my first-degree amendment.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Illinois [Mr. KIRK] proposes an amendment numbered 2764 to amendment No. 2763.

Mr. KIRK. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To clarify the term ''congressional defense committees'')

At the appropriate place in title IV, insert the following:

SEC.__. For the purposes of this Act, the term ''congressional defense committees'' means the Committees on Armed Services of the House of Representatives and the Senate, the Subcommittee on Military Construction and Veterans Affairs of the Committee on Appropriations of the Senate, and the Subcommittee on Military Construction and Veterans Affairs of the Committee on Appropriations of the House of Representatives.

The PRESIDING OFFICER. The majority leader.

SUPPORTING OUR TROOPS

Mr. MCCONNELL. Well, amazingly enough, our colleagues across the aisle just voted to proceed to an individual appropriations bill. We have been trying to do this for months. Finally, they have approved going to an appropriations bill. This should not be breaking news, goodness gracious, but it is newsworthy because of what has been going on around here for the last 2 or 3 months. Democrats have repeatedly blocked the Senate from even debating individual appropriations bills. They never had a good excuse, of course, and the excuses kept changing as each previous excuse got debunked, but nevertheless they kept it up month after month after month. Well, finally that seems to have changed today. Maybe we can assume that this is the end of the filibuster summer, in November, a partisan season of obstructionist Democratic filibustering in which they have blockaded government funding bills entirely—all of them. Nearly every one of those bills was bipartisan.

Our Democratic friends, as they voted for them in committee, would send out press releases praising the bills, and then when they got out here on the floor, they all blocked them. They said no to funding for bridges and infrastructure. They said no to funding for energy conservation and clean water. They said no to funding for absolutely anything at all, especially for our troops.

You know, it is particularly jarring when you consider some of the things written recently by President Obama's own Defense Secretary in an op-ed entitled ''U.S. Military Needs Budget Certainty in Uncertain Times.'' Here is what this Obama administration Cabinet Secretary said:

While Washington struggles to get its house in order, the challenges around the world continue. China continues its dubious and destabilizing land-reclamation activities in the South China Sea. Islamic State continues its barbarous campaign. Russia continues to violate the sovereignty of Ukraine and pour gasoline on the Syrian conflict. In this uncertain security environment, the U.S. military needs to be agile and dynamic.

This is the Defense Secretary of the President's administration.

What it has now is a straitjacket. At the Defense Department, we are forced to make hasty reductions when choices should be considered carefully and strategically.

This is President Obama's Defense Secretary talking about the necessity for these bills that are being blocked by his own party.

Here is the way he continues in his op-ed. He said:

I appeal to Congress to act on a long-term budget deal—

We did that—

that will let the American troops and their families know we have the commitment and the resources to see them succeed, and send a global message that the United States will continue to plan and build for the finest fighting force the world has ever known.

This is the Secretary of Defense in the Democratic administration. Sounds like he is lecturing the guys on the other side here who are the obstacle.

In spite of these pleas from the Secretary of Defense, we are still unable to get on a defense appropriations bill. One Member of the other side said that funding our troops was wasting the Senate's time—wasting the Senate's time.

We have seen them all filibustered repeatedly. They just did so again this morning. At a time when a vast number of threats face our country, as Secretary Ash Carter alluded to, our colleagues across the aisle actually voted to filibuster the bill that funds our troops and our military one more time. Democrats filibustered for months on end to hold hostage the men and women who voluntarily put themselves in harm's way, for reasons that shifted constantly and had little to do with our troops.

Mr. CORNYN. Will the Senator yield for a question?

Mr. MCCONNELL. I will.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Mr. President, I would ask the distinguished majority leader whether he finds it ironic—and perhaps he has a better word than ''ironic'' to describe the situation we find ourselves in—that three separate times the Democrats have filibustered the funding that provides the resources to our troops to fight our Nation's battles and keep us safe, but then a few short days before Veterans Day, they decide to allow us to finally get on a veterans and military construction bill. I would hope it is not because they had second thoughts about going home on Wednesday and giving patriotic speeches about their support for our troops and military but then realizing what a spot they have put themselves in. I wonder if the majority leader shares my view that that is at least ironic, and perhaps ''cynical'' would be a more appropriate description.

Mr. MCCONNELL. Yes, I would say to my colleague from Texas, they were afraid to feel the heat next Wednesday on Veterans Day, having stopped a veterans appropriations bill. Frankly, I hope they still feel a little heat on stopping the Defense bill because the vast number of veterans in our country don't just care about their own well-being after they served, they care about the well-being of those who are still serving.

Mr. CORNYN. Mr. President, will the Senator yield for one additional question?

Mr. MCCONNELL. I will.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Mr. President, I would ask the majority leader, having been through what we have been through here in just this last week in establishing spending caps for this year and next in this bipartisan and bicameral Budget Act, if he can think of any possible rationale for the Democrats filibustering the Defense appropriations bill, when, in fact, those spending caps are subject to a law which the President has now signed into law, and which were the subject of this bipartisan, bicameral agreement that passed just last week.

Mr. MCCONNELL. Well, you know, as each obstacle has been removed, as each reason for filibustering these bills earlier is removed, they come up with a new one. We obviously last week agreed on how much we were going to spend, so the question of spending has been removed. The 302(b) allocations were completed yesterday. Our friends on the other side said they were happy with them. They are running out of excuses, but the end result is the same: They are still not allowing us to go forward on the Defense bill.

I would say to my friend and colleague from Texas that I heard these conspiracy theories that we had some trick to play here. I made it clear not only to my counterpart the Democratic leader but to other Democratic Senators that there is no nefarious scheme. We thought, all objections having been removed, the appropriate thing to do would be to try—by pursuing regular order, try to pass some of the appropriations bills, given the limited amount of time we have left. Yet they kept on doing the same thing with the exception of the veterans bill. It is a mystery.

The level of dysfunction the other side seems to be promoting is bad for the institution and bad for the country.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. If the Senator will yield for a question, I ask the distinguished majority leader if it is still true that in order to accomplish this delusional scheme that our friends across the aisle have somehow dreamed up as a way to block this funding for our troops, even if that were true—which it is not, as you have pointed out—isn't it still true for an appropriations bill to become law it requires the signature of the President of the United States? So it would literally be impossible to do what they have dreamed up in their delusional state when they are accusing us of this sort of a scheme and plan, which is absolutely false.

Mr. MCCONNELL. Yes, my friend from Texas is entirely right. There would be no way—consistent with the Constitution that James Madison wrote—that they would in the end not have some considerable sway over how this episode ends.

What I think it says, more than anything, is how committed to dysfunction our friends on the other side are—dysfunction for the sake of dysfunction. The American people are sick and tired of that. They want to see us do our work like adults, serious adults taking the responsibility we have been given by our constituents to do our very best for this country.

This is the same party on the other side that I remember lecturing everyone else about the dangers of the filibuster. Apparently they weren't very serious because it is obviously their new best friend now. This is the same party we remember bashing legislative ''hostage-taking,'' but apparently they weren't serious about that either because they basically have become experts.

Look, the Democrats may never be able to fully remove the stain of this filibuster summer gridlock gambit from their party's reputation, but they can work with us now to finally start turning the page.

I ask my friends on the other side: When are we going to get back to normal if not now? When, if not now, when we have agreed to all of the contentious parts of the appropriations process. Every excuse has been wiped away. We have settled our own budget agreement. We have agreed on topline budget numbers. We have settled on subcommittee allocations, and we have just proceeded to an individual appropriations bill at long last.

It is time for the appropriations process to finally be allowed to move forward, time for the Senate to finally be able to get back to regular order. It is time for each of us to get back to work, not just because it is the right thing for our country, not just because it is the right thing for the brave men and women who are voluntarily putting themselves in harm's way, but it is the best way for Senators of both parties to have the most say in the process, for the American people to be best represented, with their Members debating each appropriations bill on the floor with the opportunity for amendments to be offered.

A lot of work went into developing these appropriations bills—the occupant of the chair is on that committee. Most passed the committee with bipartisan support. That was certainly true of the Defense appropriations bill. It passed out of the Appropriations Committee 27 to 3. It was similarly true of the appropriations bill that funds veterans, which passed the committee with bipartisan support. That is the bill we just voted to proceed to.

It would support veterans by funding the health care and the benefits they rely on. It would support military families by funding the housing, schools, and health care facilities that serve them. It would provide support for women's health, for medical research, for veterans suffering from traumatic brain injury. It would do a lot of good in many of our home States too. In my State it would provide funding for design work at a new VA medical center in Louisville, a special operations headquarters at Fort Campbell, and an educational facility at Fort Knox.

The bill would do right by our veterans. We should pass it. With continued cooperation, we can pass it by Veterans Day. Then the appropriations process can continue after we pass this bill. It is obvious why we started with a Defense appropriations bill first. While this morning's filibuster was deeply regrettable, to say the least, we have the option to reconsider that bill and we will. We are going to keep working to ensure its passage.

Look, as we approach Veterans Day, I ask my colleagues to consider this. We have an all-volunteer force in this country. The young men and women who sign up to defend our Nation don't ask for a lot, but our Nation certainly asks a lot of them. These mothers and brothers and friends and neighbors aren't legislative poker chips, and helping them isn't a ''waste of the Senate's time.'' These are Americans who deserve our support. Let's put the past in the past and unite to finally give it to them. Both parties did so in committee a few months ago and both parties could do so now.

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

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

GETTING THE BUSINESS OF THE COUNTRY DONE

Mr. REID. Mr. President, I had the pleasure of listening to the Republican leader's speech a few minutes ago. I understand he has two-thirds of his caucus who voted against the budget agreement and he has to kind of play to his audience. I think the words he used were: We are the party of dysfunction.

All you have to do is read the newspaper to find out that is not the case. The fact is, it has been shown time and time again in recent years the party that is not working is the Republican Party. There is no more evidence of that when you see who is running for President. All you have to do is look and see what happened in recent weeks in the House of Representatives, where the Speaker of the House of Representatives, when asked a week before he resigned: How do you put up with those people over there, and he said: If you are around garbage long enough, you can't smell it.

So let's not talk about us being the party of dysfunction.

The Republican leader has complained about delay. I don't know what kind of glasses he is wearing, we were ready to negotiate in June. We kept saying that over and over again. Right now we don't have anything we can move forward on. Let's sit down and talk. They refused to talk time and time again. We asked for consent agreements. They refused to do that.

Time was marching on. The debt ceiling was fast approaching where, if we had not advanced that, this country would have basically shut down and it would have had a dramatic negative effect on the world economy.

Please, I say to my Republican colleagues, don't talk about delay. We haven't delayed anything. These bills that are going to be in the form of an omnibus, they should have been done one at a time, but you couldn't do it because they were spending everything for defense and nothing for nondefense. So with the budget agreement, as we have said, we wanted to make sure sequestration was taken care of—and it was. Drastic cuts in sequestration are gone for 2 years. We wanted to make sure if there was any increase in defense the middle class got equal parity, and they did. We are satisfied where we are, but the time for casting blame is gone and my friend the Republican leader should stop trying to blame it on us. We didn't do it. We are not the party of dysfunction.

From the very beginning we sought funding levels that were fair to the middle class and to the military. The military is going to get their money. Everybody knows that. The Presiding Officer knows it. Everybody knows it, but it is not a bad deal that the middle class also gets enough to take care of them. Republicans seem compelled, as they did this morning, to once again fund one part of the government they like—the Pentagon—without doing anything for the needs of the rest of the country: the middle class, those people here at home.

We can give a speech just as patriotic as my Republican friend. We believe in the military. They have made great sacrifices for all of us, but we don't need to give great speeches about how patriotic we are. What we need to do is get the business of the country done, and that has not happened. Hopefully,

with this step forward and being on this Military Construction and Veterans Affairs appropriations bill, we can do that.

Democrats opposed the motion to invoke cloture on the Defense bill this morning because Republicans again were compelled to do everything they could for the Pentagon and ignore the rest of the country, but this afternoon we have been willing to move ahead the Military Construction and Veterans Affairs bill. It is the right thing to do. That bill has both defense and domestic matters contained in it. It is a noncontroversial bill, and it will give us an opportunity to start the appropriations process. It doesn't seem fair to us that we would rush forward and do the Defense bill, which is more than 50 percent of all the money this country spends in a year—more than 50 percent of the discretionary spending that we have to appropriate.

Now we have a December 11 deadline and we have to fund all the government to avoid a shutdown. So I hope we are considering this Military Construction and Veterans Affairs appropriations bill. The Appropriations Committee will be working together to put together funding—likely in an omnibus—for the rest of the government. Dealing with the Military Construction and Veterans Affairs appropriations bill is a small step to rebuild trust and experience in working together.

Democrats are willing partners to carry out the budget agreement Congress passed last week, but we will continue to fight for the needs of the middle class while we continue to fight and make sure the military is taken care of and also continue to fight poison pill riders.

Mr. President, we have a number of people on the floor. Is anyone seeking recognition?

The PRESIDING OFFICER. The Senator from New Hampshire.

UNANIMOUS CONSENT REQUEST—S. 552 AND S. 966

Mrs. SHAHEEN. Mr. President, I come to the floor this afternoon to ask the Senate to take up and pass two bipartisan no-cost bills that will help small businesses with one of their most urgent needs; that is, access to credit. Specifically, I am referring to Senator RISCH's bill to enhance the SBA support for startup firms, which is called the Small Business Investment Company Capital Act, and the bill I have sponsored with Senator ISAKSON, the Commercial Real Estate and Economic Development Act, which is also known as the CREED Act.

Both of these bills have broad bipartisan support. In April, almost 6 months ago, the Senate Committee on Small Business and Entrepreneurship voted unanimously to pass both of these bills. I had introduced the CREED Act with my friend from Georgia Senator ISAKSON to reinstate a new version of a successful no-cost program at the SBA known as 504 refinancing. That program had expired before many of the small businesses that needed help could benefit. Congress had created this refinancing program during the financial crisis when small business lending was frozen. As real estate values declined, many small businesses, even those that were performing well and were current on their mortgage payments, were unable to refinance their loans through traditional methods. Small businesses with equity in their properties were often unable to access that equity for additional operating capital.

That 504 refinancing program worked. For the short time that it was active, SBA and its loan partners were able to help a lot of those small businesses. More than 2,300 small firms refinanced $5 billion of small business debt. Unfortunately, the program expired in September of 2012, even though there was still significant demand for this type of financing. In fact, on the last day this program was authorized, more than 400 businesses from around the country applied.

There is still a significant demand for this lending today. We keep hearing from small businesses that they would benefit greatly from this type of financing. In particular, it would help the many small businesses who are paying too much in interest because they took out their loans during the recession. As one lender in New Hampshire said:

> During the crisis, businesses took whatever financing they could get. The banks wouldn't commit to long terms. Today the rates are much better, [so businesses holding those loans are paying too much].

Now, while the economy is better and lending to small businesses is starting to recover, many banks today either cannot or will not refinance or renew an existing commercial real estate loan on terms as beneficial as the 504 refinancing loan could.

We know there is real need for this program. We have heard it from small businesses, and we have heard it from groups that work directly with small businesses. I have a chart here that shows a number of those groups we have heard from. The U.S. Chamber of Commerce and the American Bankers Association support the legislation. The National Association of Development Companies; the National Small Business Association; the Consumer Bankers Association; the Small Business Majority; Women Impacting Public Policy, which does so much to support women-owned businesses; the Association of Women's Business Centers; and then we have a whole list of those development companies that support this legislation. I won't read through those development companies, but these are all organizations and businesses that want to see us start this program again because they have small businesses that need this lending.

I have a number of letters here that I will just hold up and show. We have a whole packet of letters, and I ask unanimous consent to have printed in the RECORD these letters.

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

GSDC
AUG. 4, 2015.

Hon. JEANNE SHAHEEN,
Committee on Small Business & Entrepreneurship,
U.S. Senate, Washington, DC.

DEAR RANKING MEMBER SHAHEEN: Thank you for introducing S. 966, the Commercial Real Estate and Economic Development Act of 2015 (CREED Act). This bill is important to small businesses in New Hampshire and across the country. It would re-instate the 504 Refi program, a two-year initiative that permitted refinancing of existing commercial real estate debt using the Small Business Administration (SBA) 504 loan program.

We also want to thank the Members of the Senate Committee on Small Business & Entrepreneurship for voting unanimously to pass the bill out of Committee on April 23, 2015. That was three months ago, and we are counting on the full Senate to pass the bill because it is an important source of financing for small businesses. We need to get it up and running again as soon as possible.

The biggest impact of the SBA 504 Refi program is to allow small businesses access to equity in their business real estate thereby allowing the bank and SBA 504 to consolidate shorter term, higher interest rate loans. This directly benefits the small business by 1) lowering interest payments and monthly payments, 2) locking in low rate mortgage payments for 20 years, 3) freeing up working assets (Accounts Receivable, Inventory, FF&E—Furniture, fixtures, and equipment) allowing the business access to working capital to support business growth and the hiring of new employees.

The SBA 504 Refi program is only available to existing businesses that are financially viable with experienced management and all loan payments current. This is not a bailout for big businesses on the brink of collapse but rather a credit enhancement for small businesses with equity in real estate that banks are not willing to leverage without the assistance of the SBA 504 Refinance program. The small business owner is savvy enough to realize the significant benefit of the program and is willing to pay the small fees to cover all costs, if they only had the opportunity.

Below are three specific examples of small businesses that benefited from the SBA 504 Refi program.

1. A building supply company headquartered in Merrimack, NH, that was significantly impacted by the recession with sales decreasing over 30% from 2007 to 2010. The business's $1,000,000 LOC (line of credit) was demanded by the bank with payment due in full in less than 6 months. The SBA 504 Refinance program allowed the business to access the equity in their real estate by taking out a new 90% LTV mortgage (50% new bank, 40% SBA) providing 1) sufficient funds to pay off the $1,000,000 LOC, 2) convert short term working capital with higher interest rate to long term lower interest debt with a fixed rate, and 3) free up access to new working capital. The new bank provided a new $250,000 LOC and a new $200,000 term loan.

2. A manufacturing company that provides drilling and routing services to high-tech industries located primarily throughout the northeastern United States and has its headquarters located in a 9,620 SF manufacturing facility in an Industrial Park in Salem, NH. The company's original $575M mortgage required monthly P&I payments of $4,500 (priced @5.65%) and the SBA 504 Refi program refinanced their mortgage and reduced monthly mortgage payments to approximately $3,950 creating an annual savings of

over $6,600. The interest rate on the new mortgage was also decreased to 4.25% with the assistance of the SBA 504 Refinance program. This 504 Refi transaction allowed the Bank to reduce its mortgage exposure to the customer by $250M, which in turn allowed the Bank to consolidate three term loans and provide a single $460M term loan, creating an additional $3,000 yearly savings at a lower interest rate. Finally, debt consolidation and SBA 504 refinance allowed the Bank to grant the customer a new $50M RLOC for working capital needs to keep the customer operating during the slow winter months.

3. A grocery store located in Littleton, NH. The store carries a full line of grocery store products as well as natural, organic and locally produced goods. With the assistance of the SBA 504 Refi program the business was able to access equity in their real estate and consolidate eight short term mortgages and equipment terms loans totaling $3,231,000 reducing payments by $114,000 per year. With this annual savings the business was able to add long term financial stability to costs and free up working capital to allow the business to hire new employees. This business has seen steady growth and is planning to expand in 2015.

There are more small businesses that could use this financing. Please urge the Senate to pass this bill.

Thank you,

SCOTT GARDINER,
Executive Vice President, Granite State Economic Development Corp.

CHAMBER OF COMMERCE OF THE UNITED STATES OF AMERICA,
Washington, DC, Aug. 19, 2015.

Hon. JEANNE SHAHEEN,
U.S. Senate, Washington, DC.
Hon. JOHNNY ISAKSON,
U.S. Senate, Washington, DC.

DEAR SENATORS SHAHEEN AND ISAKSON: The U.S. Chamber of Commerce, the world's largest business federation representing the interests of more than three million businesses of all sizes, sectors, and regions, as well as state and local chambers and industry associations, and dedicated to promoting, protecting, and defending America's free enterprise system, supports S. 966, the ''Commercial Real Estate and Economic Development Act of 2015,'' (CREED Act) which would help provide small business owners with much needed access to capital when attempting to refinance their commercial real estate loans.

Many small business owners are challenged to refinance real estate loans structured as balloon payments and collateralized by devalued assets when the loan matures. Even though the small business borrower may be current on their payments, the financial institution experiencing tightened lending standards and increased oversight by examiners may not have a choice but to either force the business into foreclosure, or take a loss by writing down the loan.

S. 966 would help small businesses and financial institutions overcome these hurdles by allowing small businesses to refinance eligible debt with a Small Business Administration 504 loan, at no expense to taxpayers.

More than ninety-six percent of the Chamber's members are small businesses with fewer than one hundred employees. The Chamber thanks you for introducing S. 966, the CREED Act, and looks forward to working with you on its passage.

Sincerely,

R. BRUCE JOSTEN.

SEPT. 25, 2015.

Sen. BOB CASEY,
393 Russell Senate Office Building,
U.S. Senate, Washington, DC.
Sen. PAT TOOMEY,
248 Russell Senate Office Building,
U.S. Senate, Washington, DC.

DEAR SENATOR CASEY AND SENATOR TOOMEY: On behalf of Northeastern Economic Development Co. in Pennsylvania, I write to share my enthusiasm for S. 966, the CREED Act. This bill was unanimously voted out of the Senate Committee on Small Business and Entrepreneurship in April and has been waiting to be passed by the full Senate for more than three months. The bill is bi-partisan and has zero cost.

I urge you to push for quick consideration of this bill in the Senate and vote in favor it so that Pennsylvania small businesses, and small businesses everywhere, can once again have access to this valuable program.

The CREED Act will reinstitute a program that permits conventional loans to be refinanced with the SBA's 504 loan program. When this refinancing was in place from mid-2011 to September 2012, more than 2,300 small business owners were able to refinance existing equipment or owner-occupied real estate debt. During this economically challenging time, these entrepreneurs refinanced $5 billion of their own capital to reinvest in their business and create jobs. One of the states to use this program the most was Pennsylvania—roughly $68 million in loans went to small businesses that refinanced existing loans on essential fixed assets.

While large businesses have equal access to capital as they did before the recession, small businesses still have a tight credit market. This valuable refinancing tool is needed to help America's 28 million small businesses grow. The demand is certainly there—over 400 businesses applied to the refinancing program on its final day, but were left out from participating when it closed. With interest rates at historic lows, reinstituting the refinancing program will give small business owners a once-in-a-lifetime opportunity to lock in a fixed-rate refinanced loan and be able to use those savings to reinvest and grow their businesses, We hope with your leadership, this program will be available to them again.

Thank you in advance for your support of S.966, the CREED Act, and for your continued support of small businesses.

Sincerely,

STEPHEN URSICH,
Executive Director.

CSRA BUSINESS,
OCT. 26, 2015.

Sen. JOHNNY ISAKSON,
131 Russell Senate Office Building,
U.S. Senate, Washington, DC.

DEAR SENATOR ISAKSON, We the non-profit SBA Certified Development Companies in the State of Georgia, are jointly writing you this letter to thank you for your support and co-sponsorship of S.966 (the CREED Act) and to ask you to assist in the passage of the bill that is expected to be introduced on the floor of the Senate in the coming days. We as a group unanimously support this legislation which is a badly needed rule change to the SBA–504 loan program that we all operate in our various communities which would allow small business owners throughout our state to tap into the equity in their buildings and refinance debt at our current low historical rates.

This bill was unanimously voted out of the Senate Committee on Small Business and Entrepreneurship in April and has been waiting to be passed by the full Senate for more than four months. As you well know, the bill is bipartisan and has zero cost to the taxpayers.

As one of the lead cosponsors of this bill, you understand the benefits it will provide to small businesses. The CREED Act will reinstitute a program that permits conventional mortgages and other loans to be refinanced with the SBA's 504 loan program if a small business owner can demonstrate sufficient equity and cash flow exists. When this refinancing was in place from mid–2011 to September 2012, more than 2,300 small business owners were able to refinance their owner-occupied business real estate debt.

While large businesses have equal access to capital as they did before the recession, small businesses still have a tight credit market. This valuable refinancing tool is needed to help America's 28 million small businesses grow. The demand is certainly there—over 900 businesses applied to the refinancing program on the final day it was in place. With interest rates at historic lows, reinstituting the refinancing program will give small business owners the same opportunity consumers have had—to refinance into a low fixed-rate loan and be able to use those savings to reinvest and grow their businesses. We hope with your leadership, this program will be available to them again.

It is our understanding that some have suggested that this program be held to accounting standards outside of the current federal budgeting procedure. The process of how the budget is managed is a contentious one and one that should not hold this bill hostage. That issue should be handled through the Senate Budget Committee and not a bipartisan bill that gives small businesses an opportunity to grow.

We know the performance of the loans that were refinanced during the downturn while program was in place, have outperformed OMB projections and the regular default rates on standard SBA loans. SBA implemented credit safeguards by making the program available only to businesses who have been in business two or more years and by not allowing business to refinance debt that has been past due in the year prior to application.

We appreciate your leadership on S.966, the CREED Act, and ask for your assistance in its passage in the Senate.

Sincerely,

RANDY GRIFFIN, *President,*
CSRA Business Lending, Augusta,
On Behalf of the Attached.

Mrs. SHAHEEN. The support for this bill is so broad, as indicated by this chart and as indicated by these letters, because the need is so great. There is no reason we shouldn't take up and pass this bill. It has been approved by the committee—the small business committee. It has broad bipartisan support. It is cosponsored by Senators FISCHER, AYOTTE, COONS, CANTWELL, HIRONO, FRANKEN, and CASEY. I thank them for their support, and I thank the small business committee for its work.

Mr. President, like so many of the important bills that go through the Senate, this bill has been paired, as I said earlier, by the chairman of the small business committee, Senator VITTER, with another no-cost small business bill which is authored by Senator RISCH from Idaho. That bill, along with the CREED Act, will provide no-cost solutions that will help small businesses in this country get the credit they need to fuel our growth.

Again, both of these bills passed unanimously out of the small business committee. I believe the time has come

to pass them in the Senate. They have been held up for too long.

At this time I want to yield to my colleague, who is going to talk about the hold problem we have been facing on this bill.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, I would like to be recognized to ask my colleague from New Hampshire a question.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, it has been more than 4 years since the Senate overwhelmingly passed a bipartisan resolution ending the ability of Senators to place secret holds as a way to block passage of legislation and confirmations of nominees. The resolution—which I worked on with our colleague from Iowa Senator GRASSLEY for more than a decade, and Senator MCCASKILL joined in these efforts—overwhelmingly passed the Senate by a 92-to-4 vote. Under the resolution, Senators who object to requests to pass legislation by unanimous consent are supposed to record their opposition by sending notice to the cloakroom and to the Secretary of the Senate, notifying colleagues of their objection. The objection is then listed in the Senate Calendar on a page—I took today's with the title ''Notice of Intent to Object to Proceeding.''

Mr. President, if you look at the page in the Senate Calendar where holds on bills are supposed to be listed, right now you will find a single entry on the page. It concerns a public hold that I placed on the intelligence authorization legislation last July. I wish I could say the reason that only one objection to a unanimous consent request is listed in the Senate Calendar is that my objection is the only hold placed on a bill in the past few months.

Regrettably, that does not seem to be the case. For example, my colleague from New Hampshire has been talking about her bill, known as the CREED Act, S. 966. It was hotlined back on June 18 to determine if any Senator objected to passing that bill by unanimous consent. An objection was made after the bill was hotlined back in June, but the objecting Senator was not publicly identified as the timely objection was made. My understanding is that Senator SHAHEEN and her staff subsequently learned that multiple Senators had objected to passing her bill by unanimous consent, but not one of those Senators made their objection public through the notice requirements that were part of the bipartisan resolution.

I think it is important to note that Senator SHAHEEN's CREED Act was determined to have no cost to Federal taxpayers. It is funded entirely by fees paid by the borrowers and lenders under the SBA 504 Loan Program. It strikes me as a very good bill that would benefit America's economy.

I gather there are some Senators who might not agree about the value of the program, which, of course, is their right as Senators. But if they object to passing a bill, Senators ought to be publicly accountable. That is how we voted—92 to 4. They shouldn't be able to hide opposition behind anonymous objection. Senator GRASSLEY and I and Senator MCCASKILL and others have said: Look, public business has got to be done in public. So Senator GRASSLEY and I have publicly announced our holds by putting statements in the CONGRESSIONAL RECORD, and I don't think that Western civilization has exactly been harmed as a result of this kind of transparency and accountability.

I would like to ask my colleague Senator SHAHEEN, given her interest in living up to both the letter and the spirit of the bipartisan resolution, whether it is her intent to state a unanimous consent request at this time to ensure the kind of transparency and accountability that was envisioned in the bipartisan resolution.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. I thank my colleague from Oregon for pointing out the fact that people who want to hold up legislation that has broad bipartisan support are supposed to make themselves publicly known. It took us months to figure out who was actually holding up this bill. So I do intend to ask unanimous consent to move the bill forward. I appreciate the Senator pointing out the change we have agreed to as a Senate in how we handle those holds and that the people holding up the legislation should be public so the public understands who is objecting and has a chance to weigh in with the people who are objecting.

Mr. President, with that said, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 104, S. 552, and Calendar No. 107, S. 966, en bloc; that the bills be read a third time and passed; and that the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, reserving the right to object, I want to address the unanimous consent request, and I am delighted to continue the ongoing conversation we have been having about this for many months now with the minority staff on the small business committee and with the office of the Senator from New Hampshire.

I might preface my comments by observing that I used to own and operate my own small business. I helped launch a little community bank in eastern Pennsylvania, western New Jersey. I have some firsthand personal experience both as a small business borrower and as a small business lender, and that experience informs my judgment about this and other things.

I should also point out that this is a unanimous consent request to consider two bills together en bloc. I have made it clear that I have no objection to S. 552, but I do have some concerns about S. 966 that I want to address.

Let me be clear about what this does. This legislation would reactivate an expired program that requires taxpayers to guarantee certain loans. By the way, taxpayers are already on the hook for over $3 trillion of loans we force them to guarantee through many different programs. This would bring back to life another taxpayer loan guarantee program. It does it by specifically requiring taxpayers to guarantee loans that would refinance existing debt.

So this particular legislation that we are considering today is about the refinancing of existing debt. It is not taking on new debt for the purpose of expanding an existing business or something like that; it is refinancing existing debt.

As the Senator observed, this would sort of reincarnate a program that was launched in 2010. This was launched in 2010 because we were still in the very early days of recovering from a severe financial crisis. It was designed intentionally to be temporary—to require taxpayers to finance these loans for small businesses but only for this 2-year period. And that is what happened.

Here are my problems with this. I have two problems. One is the cost this imposes on taxpayers. I have heard it described as a no-cost program on several occasions. That is absolutely not true. The fact is that no small business goes through the hassle of applying for and participating in this program unless it can get the loan at a lower rate than what is generally available from banks. That difference between this taxpayer-subsidized lower rate and a market rate is the cost to the taxpayers. You don't have to take my word for it; that is what the Congressional Budget Office said. I will say more on that in a moment. In addition, the parent program that provides similar types of loans has lost $300 million for taxpayers over just the last several years. How is that no cost?

The second concern I have is that there is no job requirement whatsoever in this particular legislation, unlike the existing program—the parent program, if you will, the 504 program that never suspended. That has an explicit job requirement for additional taxpayer liabilities. This one doesn't. It explicitly exempts the business borrowing this money from having to create or even retain so much as a single job.

So I would like to modify the unanimous consent request, and my modification does three things: No. 1, it allows the resumption of the program. That is the first thing it does. It allows this program to resume, which is the intention of the Senator from New Hampshire, I believe. But what it also does, after 1 year of resumption, is require that we begin to have some taxpayer protections on this. Specifically,

the form that would take would be to require the Office of Management and Budget to certify that the program doesn't cost money on a fair value basis. The fair value basis is taking into account the fact that not all credits are equal. For instance, the corner pizza shop is not as creditworthy as the Treasury of the United States of America. So a true cost of a loan differs between that which you would extend to the Treasury of the United States of America and the local pizza shop. If you don't have a differential between those two, then someone is getting the wrong rate. And if you lend to the pizza shop at the same rate you lend to the Federal Government, you are surely not being compensated adequately for the risk you are taking.

So this methodology, the fair value methodology, is the same one we use when we quantify the cost of the TARP program, when we quantify the cost of GSE guarantees, and when we quantify IMF liabilities. That is what I am suggesting we use.

The Congressional Budget Office has weighed in with their views on fair value accounting, and they said:

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

That is the second thing we do. First, we extend the program and allow it to resume. Secondly, we impose fair value, which is to say an honest assessment of the true cost to taxpayers. Finally, my suggestion is that we enact the very same jobs test that the parent legislation—the alternative, similar legislation, the 504 program—requires, and that is, for every $65,000 of new risk that taxpayers are being forced to take, let's at least make sure we are creating or retaining at least one job. Think about the alternative. Someone could go out and refinance an existing loan at a lower rate because the government—the taxpayers—is subsidizing the rate. They could use the savings to buy automation equipment and actually eliminate jobs. How could that make any sense at all?

My modification would restore the program, would provide some protection to taxpayers, and would require job creation in the process.

I ask that the Senator modify her request, that the bills be passed en bloc, and that my amendment to S. 966, which is at the desk, be agreed to.

The PRESIDING OFFICER. Will the Senator so modify?

Mrs. SHAHEEN. Reserving the right to object to the modification, let me point out that Senator TOOMEY's objection to this bill is not only wrong, it is inconsistent. The Senator is not objecting to Senator RISCH's bill, S. 552, which is also being considered today. He not seeking to amend it, even though it would increase small business assistance and also require taxpayer guarantee.

We have also recently passed bills that increase small business assistance, including Senator VITTER's disaster legislation and an increase to the cap for the SBA 7(a) Loan Program. The fact is that the amendment Senator TOOMEY is proposing is really not a compromise. Let me take a few minutes to explain why.

This amendment would essentially gut the pre-legislation, the 504 refinancing program, and it would prevent it from ever helping small businesses.

I appreciate Senator TOOMEY's experience as a small business owner. My husband and I started out our married life as small business owners. We had a family business. It did very well by us. I learned a lot about the challenges facing small business. One of the major ones is access to credit.

What Senator TOOMEY is talking about would single out this legislation and gut the intent of this legislation, and that is not what small businesses need.

I want to read a letter that we received from nine lenders—the nonprofit SBA certified development companies in the State of Georgia that worked with this program—about their assessment of what Senator TOOMEY is proposing. They say:

> It is our understanding that some have suggested that this program be held to accounting standards outside of the current federal budgeting procedure. The process of how the budget is managed is a contentious one and one that should not hold this bill hostage. . . . We know the performance of the loans that were refinanced during the downturn while [the] program was in place have outperformed OMB projections and the regular default rates on standard SBA loans. SBA implemented credit safeguards by making the program available only to businesses who have been in business two or more years and by not allowing businesses to refinance debt that has been past due in the year prior to the application.

That is the end of the quote from the letter, and it was submitted as part of the package of letters I submitted earlier.

What Senator TOOMEY's proposal would do is single out this program and make it subject to a budget standard that would artificially raise the cost of programs meant to help small businesses, farmers, students, and so many others get access to credit.

I understand the Senator from Pennsylvania wanting to change budget rules for credit programs. Certainly, if he has a concern about that, he should try to do that. I am happy to have that debate. But this isn't the right place to do it. We shouldn't be holding small businesses hostage.

The Budget Committee recently started a series of hearings on budget reforms, and I think that is the right venue for this discussion.

I would point out that Senator ENZI, who chairs the Budget Committee, voted for this legislation. He was part of the vote in the Small Business Committee that passed this legislation.

I would also like to note that the CREED Act, as passed by the committee, was supported by a number of organizations from the Commonwealth of Pennsylvania.

I will quote again from one of the letters we received from one of those lenders from Pennsylvania, NEDCO. They said:

> I write to share my enthusiasm for the CREED Act. . . . I urge you to push for quick consideration of this bill in the Senate and vote in favor of it so that Pennsylvania small businesses, and small businesses everywhere, can once again have access to this valuable program. . . . While large businesses have equal access to capital as they did before the recession, small businesses still have a tight credit market. . . . With interest rates at historic lows, reinstituting the refinancing program will give small business owners a once-in-a-lifetime opportunity to lock in a fixed-rate refinanced loan and be able to use those savings to reinvest and grow their businesses.

The letter goes on. That is just one lender. Across Pennsylvania, the program had a big impact while it was up and running. In fact, Pennsylvania was the 12th most active State, with more than $64 million in loans and more than 1,700 jobs supported in about the 18 months of the program.

We did amend the bill in the Small Business Committee to address some of the concerns from Republican Members about its budget implications. Those changes have been made. They have been vetted by our committee. But now, after months of delay, Senator TOOMEY has proposed an amendment that is not a good-faith effort at compromise, from my perspective, that would effectively prevent the program from ever helping small businesses that we need to help.

For all of these reasons, I object, and I would again ask unanimous consent to take up and pass both bills as reported by the committee of jurisdiction.

The PRESIDING OFFICER (Mr. CASSIDY). Objection is heard to the modification.

Is there objection to the original request?

The Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, reserving the right to object, I am a little surprised and disappointed to be accused of not operating in good faith when I attempted to reach a compromise by allowing one of these two bills to go exactly as the proponent advocated.

I would be happy to extend fair value accounting treatment to the Risch bill as well. The Senator from New Hampshire is concerned about consistency. Let's consistently apply honest accounting for the risks we are imposing on taxpayers. And to think that is not an appropriate conversation to have at a time when we are asking taxpayers to take new risks—I don't know what better time there could be, especially after we have saddled taxpayers with over $3 trillion of guarantees that they have been obligated to already.

If somehow my modifications would make it impossible to make the loans,

that should tell us something about this program. In other words, if we say that they can't proceed with a loan if a fair and honest accounting, as prescribed by CBO, shows it to be in a loss, then apparently they are concerned about the program being at a loss—as well they should be since the most closely related program has lost hundreds of millions of dollars for taxpayers.

So I think this is exactly the time to have this conversation. We have been having this conversation for months with the Senator from New Hampshire's staff and the small business committee's minority staff. If we can reach an agreement on this, as I said before, I am happy to allow this program to resume, but it should be done in a way that it actually creates jobs and actually does provide some protection to taxpayers. So since we can't agree to that today, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, I understand Senator TOOMEY has objected to my unanimous consent request, but I do think it is important to point out that in fact the amendment he has proposed would essentially undermine the program. That is why I say that is not an amendment that is a real effort to improve the bill. In fact, it is not being offered on any other of these kinds of programs—didn't offer it on Senator VITTER's legislation, on increasing the SBA 7(a) program cap.

If that is a conversation he wants to have as a member of the Budget Committee and for the Budget Committee to start talking about that, that is very appropriate, but that should not undermine the efforts of small businesses to get the lending they need. In fact, this is a program that has a history. It has a history that shows that it has a lower default rate than other SBA loan programs. In Pennsylvania alone, it created 1,700 jobs during the time it was in effect.

So I think there is the possibility to get to some agreement, even though we have already made some reforms to this bill in committee, but I don't think gutting the program in a way that makes it ineffective is the way to do that.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, first, I thank the senior Senator from New Hampshire for her advocacy for small business. We work together on a number of different small business issues dealing with capital, and I appreciate her advocacy. Her partnership has helped us in Michigan on some very important things on which I hope we are going to be able to move forward, so I thank her.

AFFORDABLE CARE ACT

Mr. President, I want to speak today about the importance of having access to quality, affordable health care. The Affordable Care Act has fixed a lot of what has been wrong with our broken health care system in the past. We no longer have to be afraid of someone in our family getting sick and being dropped from our insurance plan. Being a woman is no longer viewed as a preexisting condition. Young people are able to stay on their parents' plan while they are looking for a job with full health benefits. That has certainly affected people in my family, as I am sure everyone in the Chamber and certainly those across the country have felt this, as they are supporting young people who are moving from high school or college and looking for a job. And we are slowing the growth of health insurance premiums. And, as we have this first week of open enrollment and Americans are heading to healthcare.gov to sign up and get covered, we know we now have 17.6 million more Americans enrolled in the Affordable Care Act who know that if the kids get sick tonight, they will be able to make sure they can go to a doctor and get the health care they need. If they themselves get sick, they won't just be relying on emergency rooms, which are the most expensive way to get regular health care. They will have the peace of mind of knowing they are covered if there is cancer discovered or if there is an accident or something else happens in their family.

According to the Centers for Disease Control, the number of people who are uninsured has fallen to 9.2 percent. I would like to see that still lower, but the good news is that it is half of what it was just 2 years ago. So in 2 years we have seen the number of people without health insurance cut in half —I think that is good news—even before the opening of the marketplace and State exchanges.

Thanks to the ACA, the rate of uninsured children dropped to 6 percent last year, which is the lowest in history. We have the lowest number of children who are now in a situation where they don't have health care coverage. Unfortunately, just as Americans are reviewing their options right now during the open enrollment period, Republicans are looking to pull the rug out from under these children and their families.

A few weeks ago Republicans in the House passed what is called a budget reconciliation bill that essentially, bottom line, guts the Affordable Care Act, removing major provisions that help families get access to quality affordable health care coverage. According to the nonpartisan budget office, the bill on the whole ''would increase premiums . . . by roughly 20 percent above what would be expected under current law'' and cause 16 million people of the 17.6 to lose health insurance. Why in the world would we want to pass this bill? I don't know why in the world the House wanted to pass this bill, but why in the world would we want to pass a bill that will roughly increase premiums by 20 percent above what they otherwise would be and knock 16 million people off their health insurance? Unfortunately, we are going to have that bill in front of us very shortly. I hope we are all going to vote no.

Of those who lose insurance, up to 20 percent of them—over 3 million—are children. After achieving the lowest rates of uninsured children in history, we are going to have in front of us a bill that would require elimination of 3 million children from being able to get health insurance.

The bill also eliminates the Prevention and Public Health Fund. As they say, we know that an ounce of prevention is worth a pound of care. It is much better to focus on healthy outcomes, to focus on reducing obesity, diabetes, heart disease, strokes, and all of those things that allow us on the front end to do prevention and public health and wellness rather than picking up the pieces. It would eliminate that thought.

In Michigan these funds have been used to help prevent tobacco use and to promote awareness of the importance of children getting immunized against debilitating and deadly diseases, to name just a few things. Critically important, the House bill strips funding for Planned Parenthood. The budget office again estimates that up to 25 percent—one out of four—people currently being served by clinics for preventive health care would face reduced access to care. It makes absolutely no sense to roll back preventive health care for women, to roll back prevention that allows us to create opportunities for people with information and tools they need to be healthy rather than getting diseases down the road. Certainly, it makes no sense to raise premiums by 20 percent or to see 16 million people lose their health care.

I hope when that budget reconciliation bill comes before the Senate that we will say no and allow millions of Americans to continue to have the peace of mind of knowing they will have access to the medical care they need for themselves and their families.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

F–35 PROCUREMENT

Mr. HATCH. Mr. President, I rise in strong support of the current plan to procure around 2,500 F–35s for our men and women in uniform.

Recently, I understand the chairman of the Armed Services Committee called upon Congress to cut the number of F–35s our Armed Forces will produce. Usually, I fully agree with the chairman's astute assessment of national security matters. In fact, I think he is a terrific chairman. In particular, I applaud his vital work in drawing attention to this administration's lack of effective strategies to eliminate the current threats posed by the Taliban, Al Qaeda, and the so-called Islamic State.

Nevertheless, I must respectfully disagree with his call to reduce the number of F–35s to be acquired by our Nation's military. In doing so, I reiterate my full support for the existing program of record, which calls for the procurement of 1,763 F–35s for the Air Force, 420 for the Marines, and 260 for the Navy.

As we assess the question of F–35 procurement, we should remember how the Department of Defense determined the number of aircraft it would purchase in the first place. I can assure you, this decision was neither hasty nor taken lightly. The Pentagon based its estimates on a thorough review of our Nation's airpower readiness and the capabilities needed to deter and defeat future threats to our national security. The Department's procurement request doesn't reflect an arbitrary estimate but the number of F–35s needed to keep our Nation safe.

If we reduce the number of F–35s to be acquired by the military, we hamstring our own ability to defend ourselves against America's enemies. Despite the formidable war-winning capabilities of the F–35, this weapon system cannot be in more than one place at once. One F–35 aircraft cannot simultaneously deter Russian aggression in Eastern Europe, patrol free waters in the South China Sea, target the Islamic State of the Middle East, and provide critical air support for our allies in Afghanistan. With every aircraft we cut, we are spreading our defenses thin, putting our national security at risk, and limiting the ability of our men and women in uniform to complete their mission.

Now is the worst time imaginable to limit production of the F–35. Not only does the quantity and magnitude of threats facing our Nation continue to increase, so does the number of locations from which these threats emanate. Moreover, when the Department of Defense made the initial assessment for F–35 procurement, we did not face the exponential growth of threats which continue to metastasize under the Obama administration's failed foreign policy. In this sense, the military's request to procure just under 2,500 aircraft is not only reasonable but actually highly conservative.

As some of my colleagues discuss reducing the number of F–35s we provide to our Nation's military, they should remember to consider the economies of scale. With every single aircraft we cut, the individual cost of each F–35 actually increases, but if we keep current procurement levels the same, the price of each aircraft remains the same. We should be actively looking for ways to lower costs, not raise them.

Thanks to the hard work and dedication of the F–35 Joint Program Office, its program executive officer, Lt. Gen. Christopher Bogdan, and its industry partners, we are finding ways to drive down costs and make the F–35 more affordable. They are doing a terrific job. In fact, the pricetag for the F–35 in our country is actually decreasing. Currently, each aircraft costs roughly $104 million to produce, but with the projected purchase of over 3,500 jet fighters worldwide, I believe that price will continue to fall.

At full production, the price of the F–35 will be comparable to the cost of new versions of the aircraft it is designed to replace; namely, the F–16 and the F/A–18, which raises another question. Why is it vital to replace our aging aircraft with the F–35? Why don't we just purchase new and improved versions of aircraft which are already in the fleet? The answer is simple. No matter how many improvements and modifications we make to the design of the A–10, F–16, and F/A–18 aircraft, they will never be stealth aircraft, nor will they ever match the capabilities of a fifth-generation jet fighter.

Stealth technology is absolutely critical to the future of our Armed Forces. Stealth fighters are the only aircraft capable of penetrating airspace protected by advanced area denial anti-aircraft systems. Both Russia and China are developing these advanced anti-aircraft systems, and both nations appear willing to sell their technology to potential adversaries, including Iran. Because of Russia's propensity to proliferate weapon systems to rogue regimes and China's startling advancement in technology to include the J–31 stealth aircraft and the PL–15 air-to-air missile, it is all but inevitable that our forces will routinely encounter these sophisticated systems in both the near- and the long-term. Because stealth technology is the most effective means of defeating these anti-aircraft systems, we hold a solemn duty to our servicemembers to provide them with the superior capabilities of the F–35.

I will not deny that the F–35 has had its fair share of problems. Its development program was not well-planned, and along the way there were abundant technical hurdles, cost overruns, and program execution concerns, but as is the case in the development of any breakthrough technology, setbacks are not only probable, they are expected. What matters now is how we react to these setbacks to make the program a success.

We have now rounded the corner and are on the cusp of fielding the most remarkable strike aircraft ever developed. The F–35 will help our Nation reclaim its technological edge at a critical time. Our enemies have been working tirelessly to match our military might, and they have made significant progress in achieving parity with our current technology systems, but the F–35 will widen the technological gap once again. Its superior capabilities will put us far ahead of our adversaries, and we can stay one step ahead by keeping procurement numbers for the F–35 at their current levels.

In all of my years of public service, the F–35 is the most impressive weapon system I have ever seen. I am convinced this platform will give our Air Force, Navy, and Marine aviators the military advantage they need to protect us against tyranny, deter our foes, and protect our cherished liberties for years to come. I urge my colleagues to support this program, including the military's initial procurement request.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I ask unanimous consent to be recognized as in morning business.

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

Mr. MCCAIN. Mr. President, what is the business before the Senate?

The PRESIDING OFFICER. The Senate is considering H.R. 2029.

Mr. MCCAIN. Which is?

The PRESIDING OFFICER. The MILCON-VA appropriations bill.

DEPARTMENT OF DEFENSE APPROPRIATIONS BILL

Mr. MCCAIN. Mr. President, we are now considering the MILCON-VA appropriations bill. Obviously, anything we do for our veterans is something that is laudable to all of us, but earlier a very interesting vote took place in the U.S. Senate, when the Department of Defense appropriations bill which funds the appropriations for the Department of Defense for the fiscal year ending September 30, 2016, and for other purposes, et cetera—in other words, the Defense appropriations bill which provides for the training, the equipment, the pay, the medical care, all of those vital necessities for the men and women who are serving in the military—a sufficient number of my colleagues, I believe all but one on the other side of the aisle, decided to vote against moving to that legislation.

I want the record to be clear, all but one of my colleagues on the other side of the aisle, as I understand it, voted against moving to the legislation which provides the funding for the defense of this Nation and the men and women who serve it—items that are vitally important to the men and women who are serving, items such as military personnel. The committee recommends $3 billion for pay allowances and other personnel costs for Active Reserve and Guard troops activated for duty in Afghanistan and other contingencies, counterterrorism partnership funds, a money provision that recommends $300 million for the Ukrainians who are now being dismantled by Vladimir Putin. The committee, as I mentioned, recommends money for pay allowances and other personnel costs for Active, Reserve, and Guard troops activated for duty in Afghanistan and other contingency operations. The recommendation includes funding for subsistence, permanent change of station, travel, and special pays, including imminent danger pay, family separation allowance, and hardship duty pay.

I will have some other selections, but I think the American people ought to know what my colleagues on the other

side of the aisle just voted against. They voted against paying allowances and personnel costs for the Active, Reserve, and Guard troops activated for duty in Afghanistan, including funding for subsistence, permanent change of station, travel, and special pays, including imminent danger pay. We won't fund the men and women serving in imminent danger. We decided not to fund them. That is amazing—truly amazing.

One of the programs in here is the Counterterrorism Partnership Fund. There is item after item listed here. These appropriations are for the men and women in the armed services. These appropriations include their pay, their benefits, their weapons, and their means to carry out their duties in dangerous times.

Other programs in here include countering violent extremism online, the European Reassurance Initiative, and, as I mentioned, Ukraine and counterterrorism. All of these provisions are contained in probably what is the most important obligation that we have. I don't know of a greater obligation that we have to the American people and the security of the Nation. If there is any doubt about what is going on in the world, one might just want to look back at what happened in the last couple of days—the loss of a Russian airliner under very suspicious circumstances, the continued pouring of weapons and capabilities into Syria by the Russians and Iranians, and the continued gains made by ISIS in many parts of the world, including even as far away as parts of Africa and Afghanistan.

Do any of my colleagues know of the strategy that the United States has to address these issues? They can't because there is none. But here we are doing our duty—our constitutional obligation—to provide for the men and women who are serving and defending this Nation. And for obscure reasons—perhaps the Democrats, my colleagues and friends on the other side of the aisle, will come to the floor and explain why they would not go to a piece of legislation that protects this Nation and the men and women who serve it.

I am sure that in about 6 days—I believe it is—on November 11, Veterans Day, every one of my colleagues, like me, will go and be part of the celebration of the men and women who served and sacrificed.

What do you have to say about the men and women who are now serving? What you just did was to vote to not fund, train, equip, and defend these men and women, and without this, their lives are in greater danger. So don't go back and say that you are doing everything you can to defend this Nation. You are not.

Right now we have a very turbulent political situation in America. We have people who are now leading in the polls and perhaps have never held public office. The approval rating of Congress is at 12 percent or lower, and sometimes I hear some of my colleagues wonder why we are held in such low esteem. If we can't even fund the men and women in the military and take care of their needs, who in the world will we take care of?

I believe the Republican leader voted in a way so that we can reconsider the vote. We need to reconsider the vote. We need to vote, and we need to be on record that we have done our barest of duties—our fundamental duty as elected officials, which is to ensure the security of this Nation.

Right now my colleagues on the other side of the aisle who voted not to move forward with this legislation have a lot of explaining to do on Veterans Day—a lot of explaining to do as to why they wouldn't take up the legislation that takes care of their change of station, their pay, their benefits, and takes care of their health care. It is all in this legislation, and yet my colleagues, for reasons which I do not understand, did not vote to take up this legislation.

I say to my colleagues on the other side of the aisle: Where are your priorities? Where are they? Is it somehow to gridlock this legislation because you want a certain piece of legislation brought up instead of this one? Is it for some other obscure reason or is it because you don't give a damn?

This is an embarrassing time for me in this body, when we have enough Senators to prevent us from taking up what are our barest minimal requirements of our obligations, which are to provide for the defense of this Nation and the men and women who serve it. It is foolish, cynical, and dangerous to hold defense legislation hostage until every one of their political demands is met simply because of that.

Veterans Day is 1 week away. I urge my Democratic colleagues to stop treating our national defense as a tool for extracting political leverage. Let's return to the bipartisan tradition of providing for the common defense. That is what the men and women serving in the military deserve and require from us, it is what Americans expect from us, and it is what the Constitution demands of us.

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

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

TRANSPORTATION AUTHORIZATION BILL

Mr. CARPER. Mr. President, it is always a pleasure to spend these late afternoons—sometimes Thursday afternoons—when the current Presiding Officer gets stuck presiding, when I come to the floor to talk, yet again, about funding—paying for—these roads and highways, bridges and transit systems that we use. I thank the Chair for being here. As I look around, sometimes we have more than a few folks on the floor, but I think a lot of people are headed for home on Thursday afternoon when we have no more votes.

Looking back over the last several days, there are actually a couple of things to feel good about. Last week we passed very important legislation improving the strength of our cyber defenses and our ability to fend off some of the 24/7 attacks that are being visited on financial institutions, on our military, on colleges and universities, on research operations, and on businesses in our country. I am very proud of the bipartisan work we did on cyber security, information sharing, and some of the new technologies that are being deployed to help fend off attacks from the bad guys around the world. I felt very good about that.

Not everybody likes the 2-year budget agreement that has been worked out in rough form. But I like to say about a friend, when you ask him how he is doing, he says: Compared to what? The idea of living from week to week, not knowing if we are going to have to shut down the government, continuing to spend enormous amounts of human time and capital getting ready for a shutdown and hoping it won't happen but preparing for the worst and having to do that month after month—I think we have, for the most part, said we are not going to do that for the next 2 years. Whether one likes every morsel or portion of the budget deal, I think we can pretty much all say: Compared to what? Well, it is better than the path we were on.

Today, as we prepare to take up over the next couple of weeks transportation policy for our country and transportation funding to fund that policy, there is the late-breaking news this morning from the House of Representatives that they have taken a very modest transportation bill including authorization—it is probably a two-part deal where we actually authorize transportation policy and then we try to figure out how to pay for it.

Too often in the past we have decided to pay for it by bailing out the transportation trust fund. The legislation we passed and I voted against here in the Senate last month on transportation—during the last Congress I chaired the Senate subcommittee on transportation infrastructure. I am I think the No. 2 Democrat on the Environment and Public Works Committee. I am a former Governor. I spent 8 years as Governor in my own State of Delaware. We focused on transportation infrastructure. I chaired the National Governors Association for a year. So I have looked at these issues nationally as well as a Governor.

But if we look at the authorization bill—again, that is one of the two parts of our legislation, to authorize programs. A lot of what we did in the Senate, coupled with what they did in the House, was pretty darn good. I was very proud of it. I want to give shout-outs to some of my colleagues, including Senator BOXER and Senator INHOFE.

I don't always think of them as two people who work well together, but on transportation and infrastructure, they do. They provide very good leadership, and they were good enough to let the rest of us join in. I think we had a good policy or set of policies that we can be proud of. I will just run through a couple of them here, using of this chart.

I have made a big focus on freight transportation. It is not just people who use roads, highways, bridges, and transit to get places, but we move an enormous amount of freight in this country. We move it on barges—actually, I don't know how many people think of that—or ships. We move a fair amount on airplanes. We move a fair amount on trains. We also move a great deal of our freight by roads, highways, and bridges.

The legislation we passed out of the Environment and Public Works Committee on I believe a unanimous vote makes good progress on the freight transportation side, trying to make our roads, highways, and bridges more reliable, more affordable, and more efficient. That is good.

The legislation we passed out of committee, which I think is mirrored in the House Transportation bill, is that we prioritized bridge safety. I think something like one out of every four bridges in our country, deemed so by people a lot smarter than me, are not safe. So in our legislation, we focused on bridge safety and we focused on large facilities, large projects of national importance—not little projects but big ones of national importance, regional importance.

The Transportation authorization legislation from the House and from the Senate also increases baseline funding and funding for public transportation. And it focuses on clean air funding toward the most dangerous diesel emissions to increase the bang for the buck, if you will. If you ever go by road projects, highway or bridge projects and transit projects, you will often see this yellow equipment that is almost always powered by diesel, and they put out—those vehicles put out a lot of pollution. We provide some money here in the authorization legislation to say that can't be good for us. It can't be good for the people who work around there and live around there. Let's see if we can't get some reduction in those emissions.

The other thing I liked about our authorization bill is research grants that go to States to see if we can't find a better alternative to user fees, which we have historically traditionally used, and to eventually replace the gas tax or something that makes more sense. It could be something called a road user charge, it could be tolling in conjunction with public-private partnerships, but just to look at the alternatives to user fees like the gas tax and diesel tax, which has not been raised for 22 years.

Let's see what we have next. The last time we raised the user fees in this country—part of me wishes I could be doing this speech surrounded by former Presidents who have supported the use of user fees. I think we go back a long time, actually, when I was a little kid, before the Presiding Officer was born. Dwight Eisenhower, the President who brought us the State highway system, was an advocate of user fees. Since then we have had other Presidents—let me think of another President who thought that was a—Bill Clinton thought user fees were appropriate. I want to say George Herbert Walker Bush might have been one who thought that things that are worth having—that folks who use our roads, highways, and bridges ought to pay for it. I think there might have been one more. Ronald Reagan supported that notion as well. So in a bipartisan way, Democrats and Republicans have said for a long time that if we really want to have a better transportation system, we have to pay for it.

The idea is that folks who use that system and the businesses that use that transportation system have some responsibility to pay for it. That has been the way we have done it for a long time. Maybe someday, when we have the ability to do these vehicle-miles-traveled deals, where we don't have to worry about privacy concerns, figure out how many miles every car, truck, van in the country travels and be able to assess a user fee—I don't know if we are going to be able to do it. We have been trying for a long time. Maybe somebody will be able to do it, but concerns have been raised about doing that as well.

Anyway, since 1993, what has been happening? Maintenance costs continue to rise. We raised the gas tax in 1993 to 18.3 cents per gallon. We raised the Federal tax on diesel to I think 24.3 cents. What has happened in the last 22 years, believe it or not, is the cost of concrete has gone up a lot. The cost of asphalt has gone up a lot. The cost of steel and the cost of labor has gone up a lot. And the gas tax and the diesel tax have stayed right where they were 22 years ago.

The gas tax has lost almost 40 percent of its purchasing power—18.3 cents in 1993 is today worth about a dime. I think the 24.3 cent diesel tax is now worth somewhere between 10 and 15 cents. We have done nothing about it. We have not even been willing to consider indexing these user fees to the rate of inflation.

Has the highway trust fund eroded? Not everybody knows we have a highway or transportation trust fund. We do. Not everybody understands it is largely fed by user fees. Not everybody understands that when we run out of money in the transportation trust fund, we have to—if we are going to still build roads, highways, bridges, and transit systems, we have to do something about it. What we oftentimes do is we move money from the general fund for our country and move that money over to fill up the transportation trust fund or the highway fund. When we run out of money in the general fund, we go around the world with a tin cup in hand and borrow money from all kinds of people, including the Chinese. We say: We would like to borrow some money from you, and, by the way, we don't want you to be mucking around in the South China Sea and all those other places where I used to fly around. We don't want you to be inflating your currency. We don't want you to be dumping your stuff on the American markets.

And the Chinese say: Well, we thought you wanted to borrow money, so get off our backs.

We don't want to be in that situation.

There is a growing need for road repair, as I mentioned earlier. One out of four bridges is bad. Two out of every 10 miles of highway surfaces are not good.

We have vehicles that are more fuel efficient. That is a good thing. We adopted CAFE legislation, and Senator FEINSTEIN was good enough to let some of us help her write that. But probably over the next 10 years or so we are going to continue to require more energy-efficient vehicles.

There has been a reduction in the annual miles driven. A lot of the millennial generation don't want to have a car. I remember as a kid growing up—maybe the Presiding Officer growing up couldn't wait to have and drive a car. That sure was my generation.

We have an aging system that needs to be addressed. In the face of congressional inaction, what have we done to pay for our transportation system? Well, we use budget gimmicks. We are pretty good at pension smoothing. Our pensions must be pretty smooth, because we have used that. We have used unrelated offsets to pay for some. Say, for example, monies that go to TSA to supposedly provide for safer travel in our airlines and airways, we are going to use that money instead to go into transportation—money that should be used to strengthen our ability to monitor traffic coming across our borders, a lot of vehicular traffic, a lot of trade. We are going to raise those Customs fees, but we are not going to use it to build up our defenses along our border and other stuff that probably has no relationship with transportation. That is what we have done—gimmicks.

It is not an easy thing to think about, but these are some numbers that we ought to look at. We bailed out the transportation trust fund in 2008 to the tune of $8 billion. We bailed it out again in 2009, $7 billion; the next year, 2010, almost $20 billion; 2013, over $6 billion; and we really got into the bailout business in 2014, $23 billion; and for the current year, 2015, $10 billion. Add it all up, it is about $75 billion in bailouts. We moved money from the general fund. That means we don't have money to spend on other things that are legitimate needs in our country, and we are using it to pay for things that ought to be actually paid for by

the folks and businesses that use our roads, highways, and bridges.

Now, a lot of people are saying to me: Why should we raise the user frees? Why should we raise the gas tax or the diesel tax? Because it is fair. The notion that people and businesses that use these roads and highways and bridges ought to pay for them, to me, that seems fair. Frankly, it seemed fair in this country for about 60 years. We seem to have gotten away from that. We need to get back to that.

Here are a couple of questions—or the same question asked several times. Why raise the gas tax and fix the trust fund? This is $324. What is that number? That is how much the average driver in this country spends a year in vehicle repairs, such as replacement of tires, axles, wheel rims—you name it. I have seen it actually as high as $500, but we will take the low range of $324. We pay for it one way or the other, and that is how much we spend on average in vehicle repair.

Again, the same question: Why raise the gas tax and fix the trust fund? The number 42 shows up. That is because that is how many hours a year we spend sitting in traffic. These are not my numbers. Every year Texas A&M updates this number, and they say that in Washington, DC, and up the road from where Senator COONS and I live, in New York City, where some of our family members live, or Denver or LA, it is about 82 hours per year sitting in traffic, wasting gas, and putting out harmful emissions.

This is the number of billions of gallons of gas we waste just sitting in traffic every year—2.9 billion gallons of gas a year. That is a lot.

I don't know if it is the last poster that we have, but it is not a bad one to close on. One of the major roles of government is to provide a nurturing environment for job creation and job preservation. It is not the main role of government, but a major role of government is to provide a nurturing environment for job creation and preservation. We don't create jobs. Senators, Governors, and county executives don't create jobs, no matter how talented they are. Presidents don't create jobs. What we do is create a nurturing environment to help support job creation and job growth. What does that include? A world-class workforce, young people and not-so-young people coming out of colleges and universities who can read, write, think, and use math and technology, and who have a good work ethic—public safety and rule of law, affordable energy, affordable health care, access to foreign markets, and also the ability to move goods and products from place to place in this country and through our export markets.

McKinsey has a piece of their operation that does consulting and it is called McKinsey Global Institute. They have done a little bit of thinking and calculating to see if we actually made robust investments—not just little investments, not just creeping from year to year borrowing money from the general fund but actually making robust investments.

What would it do? We are talking about $150 to $180 billion of annual investments from all sources—State, local, and Federal—and to do this for 15 to 20 years. What would it do in terms of employment and GDP? Here is what it would do. Those kinds of investments in our transportation system would raise GDP anywhere from 1.4 to 1.8 percent per year. In addition to that, it would add almost 2 million jobs. Half of those jobs would be men and women going to work building highways, roads, bridges, and transit systems. We would have a more efficient economy—an economy to move products and goods more effectively, more efficiently, and more productively.

We say thanks very much to the McKinsey Global Institute. If we did this, a lot of people would be put to work building our roads, highways, bridges, and transit systems. They haven't been working much because we have underfunded transportation investment now for years at the local, State, and Federal levels. If we had funded it in a more appropriate and robust way, then a lot of people who have been on the sidelines who are either unemployed or underemployed would be doing something productive with their lives and at the same time strengthen our economy.

I see my colleague has been waiting patiently for me to finish. I will close with these words. Someone said to me: How do you feel that the House seems to have come up with a little bit more money?

We are not sure what the pay-fors are that they are using. Somehow we found some magic money in the Federal Reserve, and I hope it is legitimate. I hope there are no unintended consequences that we are aware of, but we will find out about that over the next several days, I hope. I am not outraged.

I was, frankly, outraged by what we passed here a month or so ago—so grossly underfunded, 3 years of not very thoughtful funding. What we hear from the House is that it is more robust, and I am happy to take a look at that. But it is not a user fee approach. It basically doesn't say: OK, those who use our highways, roads, and bridges ought to pay for those. We strayed from that. It is sort of a grab bag from places that have nothing to do with transportation. We are going to use that money, and it is only for a short while. We will be back in the soup again in 4 or 5 years.

This Senator thinks we can do better than that. It is not just me who is disappointed. People are disappointed, but we will live to fight again another day. It is too bad that we didn't take advantage of this day and seize the day.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. ROBERTS. Mr. President, it is my desire to address the Senate about a particular serious problem that faces us. I ask unanimous consent that I be granted 7 minutes as in morning business.

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

GUANTANAMO BAY DETENTION FACILITIES

Mr. ROBERTS. Mr. President, I rise today regarding President Obama's most recent, egregious attempt to close the Guantanamo Bay Naval Base detention facilities and relocate enemy combatants, i.e., terrorists, to the United States.

Who are we talking about here when we say enemy combatants with regard to our national security and the problems that this may pose? We still have some high-level terrorists at Gitmo. It reminds me of the five terrorists that we let out sometime ago in exchange for a Sgt. Bergdahl. These are high-level terrorists. Khalid Shaikh Mohammed we know is the mastermind of 9/11. Abd al-Rahim al-Nashiri, the USS *Cole* bomber. I was a member of the Intelligence Committee when that happened, and I was concerned that we didn't connect the dots with regards to our national security and our national safety. That certainly was the case. We have Hambali, who is the Bali bomber. We have four coconspirators with Khalid with regards to 9/11—Ramzi bin al-Shibh, Mustafa Ahmed al Hawsawi, Abd al Aziz Ali, and Walid bin Attash.

These are folks that are still determined to do great harm to the United States. I don't think they changed their minds.

The President's determined effort to close Gitmo began his first days in office when he signed Executive Order 13492, requiring the close of Gitmo within 1 year. Fortunately, for the security of the United States, the Congress stood up to this Executive order and stopped it, and the President's attempt to close Gitmo was also met by strong objections from all across the country, even in his home State of Illinois. Illinois turned its back on a plan to transfer detainees to a state-run prison, the Thompson Correctional Facility.

More importantly, the Congress laid down its first marker on prohibiting the President from transferring or releasing detainees to the United States through the Supplemental Appropriations Act passed in June of 2009. Every year since then—7 years—the Congress has maintained this prohibition.

This year's National Defense Authorization Act continues to enforce the will of the American people and the Congress. Yet just yesterday the President's Press Secretary announced blithely that the President is not bound by Congress—and I would include the American people—and the President will do what he wants to do by another Executive order if he determines that is the best approach.

National Security Advisor Susan Rice has just been quoted as saying: ''I

can't say with certainty that we're 100 percent going to get there, but I can tell you we're going to die trying.'' That is a pretty bold statement.

What the President wants to do doesn't equate with national security. I think he wants to fulfill his campaign promise and preserve his alleged legacy and simply close Gitmo, not taking a hard look at what may take place.

Now I have gone head-to-head with this administration on many issues but none are as close to my strong belief and commitment to protect the United States, the people of Kansas, and all Americans. It does not make sense to locate terrorists at Fort Leavenworth, KS, which is the intellectual center of the Army, and to pose a threat to that community. I have often said that the first obligation of any Member of Congress is to protect our national security. Allowing Gitmo terrorists to set foot in the United States is in direct violation, in my view, of that commitment, and we should not stand for this President or any future President to threaten our security by Executive order.

It is regrettable that I have to be here making this speech at all in response to the administration and the news that suddenly appears in the Nation's press that there were people visiting Colorado, Fort Leavenworth, and Charleston, SC.

In September, in response to the administration's visit to Kansas, I placed a hold on the administration's nominee to serve as Secretary of the Army. I don't like doing this. I have no personal bias whatsoever with regard to this person politically or the ability to do the job. I did so with purpose and respect. I articulated this to the Army. I articulated this to my good friend and colleague John McHugh, who was the Secretary of Army, to the Department of Defense and the Secretary of Defense. During my conversations I was reminded that the administration could not implement any parts of this study without explicit authorization from Congress. So if and when a study is produced—if there is a plan, and we don't know if there is a plan—the administration would come before Congress to ask for that authority and the money. Guess what; no money can be spent on that. So it seems to me that is already a violation.

The administration's threat to act by Executive order yesterday speaks to the exact opposite of the understanding that I have. Congress has listened to the American people and done what is necessary to uphold national security and prohibit this administration from behaving in an unleashed fashion.

I know the President is resolute. He reminded us of that fact by signing 223 Executive orders during his Presidency. It is not so much the number of Executive orders but Executive orders that are in direct violation or in opposition to the intent of the Congress.

I just don't think this should be determined by ignoring the Congress and simply issuing an Executive order. That is not the way to go. It just raises all this dust in opposition, and people like me come to the floor extremely worried about what this could bring.

I remember before 9/11, when I made the statement that the oceans no longer protected us. Our threat level remains high today. The threat of ISIS grows, stability in Syria continues to erode, Russia is advancing in the Middle East, and Iran continues to churn its nuclear reactors.

We cannot, it seems to me, we must not act politically. We must not take action simply because of ''legacy'' and a political campaign promise. Instead, we must act conscientiously. The only conscientious way forward on this issue is to maintain detention at Guantanamo Bay. To do otherwise would be a violation of U.S. law, not to mention a bull's-eye on Fort Leavenworth, where we have the intellectual center of the Army and the Army Command and General Staff College. That is not wise. That does not make any sense.

Let me say that there is another issue the President has brought up, and that is the issue of recruitment. We hear this from people who honestly believe that if we close Gitmo, somehow it will take away the incentive for various terrorist groups to recruit other terrorists from this country and all across Europe, all around the world, saying: Oh my goodness, we have terrorists at Gitmo, and when will the United States close that so that we can close our recruiting?

If we have terrorists located in the United States, it seems to me that the recruiting would simply be this: All right, Gitmo is closed, but we have our brothers at Fort Leavenworth, we have our brothers in Charleston, and we have our brothers in Colorado. What do you think would happen with regard to what they would do in response to that, not only to recruit people but to act? This goes back to the welfare of all Americans, not to mention those in Colorado, Kansas, and South Carolina. This is a bad idea—a very bad idea.

I hope those of us in the Congress will maintain our vigilance and make sure that no money will ever be authorized or appropriated with regard to taking terrorists from Gitmo and locating them in the United States. We must not do it. It is the wrong decision. It is a bad decision. I don't know why the President is so stubborn about it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

NATIONAL APPRENTICESHIP WEEK

Mr. COONS. Mr. President, I rise today to shine a spotlight on apprentices, one of our Nation's oldest forms of education and still one of the smartest investments we can make as a nation. The week we are in the middle of right now—this very week—is National Apprenticeship Week. I am honored to be joined today by Senator FRANKEN, who will also be making remarks in support of the value of apprenticeships.

In this body, we often discuss the importance, the value of expanding early childhood education, strengthening our public schools, and making college more affordable. Indeed, these investments are critical, but let's not forget about what I call the other 4-year degree. It is a degree that guarantees you a well-paying job and a career path after graduation. It is a degree that gives you experience that employers demand and teaches you skills that last a lifetime. It is a degree that provides a paycheck even while you are still in school. And it is a degree that leaves you debt-free. But where is the catch? Well, you might have to wake up early every day. You might have to work on nights and weekends. You will definitely have to complete thousands of hours of hands-on on-the-job training and 4, 5, or more years of work in your trade. In many apprenticeship programs, if you miss even a few days of work, that is it, you are done. On-the-job training, years of work experience, and a limited number of absences does not sound like a typical college curriculum, and it is not. It is an apprenticeship.

Broadly defined, apprenticeships are programs that train workers in highly skilled occupations by providing instruction and on-the-job training. After apprentices complete their programs, they receive journeyman papers and are set up for a job with the employer, the union, or the association that sponsored the program. These programs are long, challenging, and competitive. An appropriate question at the outset is, Do they work?

Well, ask Ed Woodrum, an instructor at the Carpenters Joint Apprenticeship Center in New Castle, DE. Ed tells the story of Scotty. Scotty is a Delawarean who was literally living on the streets, destitute, who was blessed to land an opportunity through the Challenge Program, a not-for-profit rehabilitation and skills organization in Wilmington which I know well and have always supported and have enjoyed seeing the impact of their work, both the materials they introduce and the impacts on the lives of the young men and women they train.

The Carpenters have a partnership with the Challenge Program, and through that relationship Scotty began working as an apprentice with the Carpenters. Fast-forward to today, years later, and Scotty is still a journeyman with the Carpenters. He recently got engaged, he owns a car, and he is living in a townhouse in Wilmington. So do apprenticeship programs work? In Scotty's case, it transformed his life.

If you want to know if they really work, ask Jim Maravelias with Laborers Local 199, also from Delaware. The laborers apprenticeship program requires 4,000 hours in the field and at least five core classes in heavy construction, although most apprentices take over a dozen classes in that time. Jim has seen his laborers journey men and women go on to leadership and

management roles in construction as foremen or shop stewards or business agents. Jim knows how important apprenticeships are not only for the construction industry but for the lives and futures of the Delawareans who are so deeply affected positively by their apprenticeship experience. As Jim puts it, through these apprentices, ''we offer them a career, not just a job.''

So do apprenticeship programs work? Ask Tony Papili, my friend from the Glasgow area who runs the Plumbers and Pipefitters Local 74. Fresh out of college with a traditional bachelors's degree, Pip went back to school as an apprentice. Today Pip know from firsthand experience how valuable apprenticeship programs are, which is why Local 74 trains fitters, plumbers, HVAC service technicians, welders, and instrument technicians. Local 74's program is no cakewalk. Once an applicant is accepted, they are committed to 5 years of night classes, on top of the 8,500 hours they will spend in the field learning their trade before becoming a journeyman.

Apprenticeship programs are not just difficult, they are competitive too. Take the program at the IBEW 313 in New Castle, DE, of which Doug Drummond is one of the leaders and a trustee. The IBEW's apprenticeship program is the largest in Delaware today with 120 active apprentices. Each year, 313's apprenticeship program has 2,500 applicants competing for just 1 of 24 open spots. That is a 1-percent acceptance rate.

The fitters, the electricians, and the carpenters in these programs are just some of the 1,100 Delawareans actively working through apprenticeship programs with lots of different businesses, unions, and organizations. Last year, my home State saw 119 apprentices complete their programs and get their journeyman papers. So far, 109 have gotten their papers this year, and we want to see these numbers continue to steadily rise.

Right now, across the entire country, over 440,000 aspiring journeymen are working through apprenticeship programs, knowing that if they put in the time and effort, they will earn an opportunity to unlock a steady, high-paying job. On average, the starting salary for an apprentice is $50,000, which is several thousand dollars more than the average starting salary for a college graduate with a bachelor's degree, and typically there is no debt for an apprentice.

The benefits of apprenticeship programs are sustainable. Over the course of their career, American workers who complete an apprenticeship program can expect to earn $300,000 more than their peers who don't go through a comparable program. If that is not the ticket to the middle class, I don't what is.

I want to commend today the 150,000 employers across this whole country who host apprentices, who partner with apprenticeship programs. Businesses are not doing it as a public service; they are investing in apprenticeships because they typically get $1.50 in return for every $1 they invest. Tony Papili and the members of Local 74 pay for their own apprenticeship program out of pocket. They take money that would otherwise go to a pay raise or their benefits and put it back into the program. The electricians at Local 313 put in over 1 million hours of work a year, and for every hour they work, they put 55 cents back into their apprenticeship program. These are significant investments. More importantly, they are smart investments that are helping to fill a much needed gap in the American workforce with high-quality, high-paying jobs and by helping train workers for skilled trades and the vital manufacturing jobs of this century.

Strengthening America's 21st-century workforce is essential to the competitiveness of our economy in the world today and to the continued revitalization of our manufacturing sector. That is why it is one of the four core pillars of the Manufacturing Jobs for America Initiative, which includes a number of additional proposals to strengthen career development and on-the-job training programs.

Last year's reauthorization of the Workforce Innovation and Opportunity Act, which was a real win for job-training programs across the country, included five different policy ideas, many of them bipartisan, which came from the Manufacturing Jobs for America Initiative. I would like to see this momentum continue by making a sustained commitment to expanding apprenticeship programs.

The thousands of hours of on-the-job experience produce journeymen with a keen understanding of the techniques and the tools they need to do their jobs, and it makes them safer, more skilled, and more productive employees. Employers know this too. Electrical contractors in Delaware are hiring journeyman straight out of the IBEW's apprenticeship program because they know they are well trained, well equipped, and ready to work. Same for the pipefitters.

Pip said he is training apprentices to be ''smarter and better skilled than the last generation,'' but he adds, ''I don't think people realize what we do to train these young men and women to become journeymen in the field.'' Pip is right. That is why after I get off the 5 o'clock train I am taking home to Wilmington tonight, my first stop will be a trade and apprenticeship open house at Delcastle High School.

I urge my colleagues to learn about the apprenticeship programs in your States. Go and visit employers who depend on apprentices and talk to your constituents who have gone through these programs. I know you will be impressed.

Too often we define ''education'' too narrowly here. We talk about education as a ticket to the middle class, but we often don't include apprenticeship programs. That has to change. Apprenticeship programs work.

Ed Woodrum with the Carpenters sees it as simple math. He describes apprenticeship programs as ''opportunity plus resources plus support which equals changed lives.'' Ed is right.

That is why I am so proud to join Senator FRANKEN in cosponsoring Senator MURRAY's bipartisan resolution honoring the inaugural National Apprenticeship Week this week. I am also proud to join President Obama and Delaware's own Vice President JOE BIDEN in support of their goal to double the number of apprenticeships in 5 years—a goal all of us should share. I especially want to recognize and thank the Vice President for his effective and long leadership in reviewing our Nation's job-training programs and finding ways to meaningfully improve them.

I commend the administration's efforts to expand access to registered apprenticeships to make it easier for apprentices to turn their experience into college credit. Besides apprenticeships, there are very few other Federal programs we know that are estimated to return $27 in economic productivity for every dollar we invest. Budgets are tight today, and we are all looking for smart, cost-effective investments that create jobs and that can help revitalize manufacturing. That is why apprenticeship programs deserve our continued support.

Before I yield the floor, I want to thank my colleague Senator FRANKEN for his passionate, engaged, and sustained leadership on making sure that community colleges and apprenticeship programs work for the working men and women of this country and help create new opportunities for manufacturing jobs that are high-skill, high-wage, and high-quality for folks all over this country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. FRANKEN. Mr. President, I would like to return the kind words of my colleague from Delaware and thank him for his leadership in this whole field of manufacturing and filling the skills gap that we see all over this country and getting young people and getting people in midcareer trained up to do jobs that manufacturers and people in the IT industry and other industries need to fill.

I rise today to recognize the very first week of November as the very first ever National Apprenticeship Week. I want to talk a little bit about the benefits of apprenticeship training programs, about what I hear in my State of Minnesota, and about my bill, the Community College to Career Fund Act, which would expand apprenticeship training programs through partnerships between employers and community and technical colleges.

When I travel around my State—and I am sure the Presiding Officer hears

this in Louisiana as well—I hear over and over again that employers are desperate to hire good people with the right skills for jobs that pay well.

Today there are over 6,500 open manufacturing jobs in my State. And other sectors such as IT, health care—and mechanics for the aerospace industry, for airplanes—these sectors in our economy are experiencing similar problems. They cannot find workers with the necessary training and the right skills to fit jobs that are there. These jobs are there. This is what is called the skills gap. I am sure that my friend, the Presiding Officer from Louisiana, sees the skills gap in his State as well.

One Minnesota employer, Kimberly Arrigoni of Haberman Machine in Oakdale, MN, put it this way:

> For my company specifically it no longer is a capacity issue because of equipment, but one with people. We are limited in what we can produce and ship out the door. . . . Imagine what this very ripple effect is causing my state and our country as a whole.

She is right, by the way. I visited Haberman Machine, and it is a very good precision machine tooling company. It is a family-owned business, and it is great. They have jobs they want to fill, but people aren't being trained up fast enough.

There are many registered apprenticeship programs nationwide in more than 1,000 occupations that prepare workers with the skills they need for tomorrow's jobs, yet they don't get the support they need. I have a bill that would address that and provide that support. My bill, the Community College to Career Fund Act, would encourage apprenticeship training programs by supporting public-private partnerships among communities, technical colleges, and businesses. These partnerships create job-training programs that provide direct hiring opportunities for students, and they give businesses the trained workforce they desperately need at little or no cost to the student. Programs such as the one supported by my bill will help employers fill available jobs, they will help students get those jobs and graduate with very little or no college debt, and they help our economy stay competitive globally. This is a win, win, win.

Labor Secretary Tom Perez has described apprenticeship programs as college ''without the debt'' or ''earn while you learn.''

In Minnesota we have many great examples of such programs. I want to talk a little bit about one of them.

Erick Ajax is the co-owner of EJ Ajax Metalforming Solutions in Fridley, MN. This is the third generation of Ajaxes. It was Ajax and Son, but the son, I think, is too old to be called a son anymore. Erick is third generation.

They make 70 percent of North America's appliance hinges. His company has over 70 employees—one for every percent, evidently, of our appliance industry. Half of his employees were trained, hired, and had their college tuitions fully paid through his earn while you learn registered apprenticeship program. To do this, Erick partnered with local community and technical colleges to find and train students, including veterans, women, first-generation Americans, and ex-offenders.

I went to his factory floor, and he introduced me to an ex-offender who had been working there at EJ Ajax for 6 years. He just bought his first home because of a training program he had taken that had been made available through a community technical college.

For all of these categories I am talking about, I met first-generation Americans who have great middle-class jobs, got their training, and received degrees. There was a veteran who has his bachelor's degree now, paid for by Erick, by the company. These are full-time, high-paying, solid, middle-class jobs.

Because Erick fully covered college tuition for his employees, some of his veteran employees were able to transfer their GI bill benefits to their spouses and their children to help pay for them to go to college. This is a great answer to our college affordability, our vexing college affordability problem that we all talk about. Erick Ajax's employees are evidence that apprenticeship training programs work. They increase their career opportunities, they provide businesses with skilled workers, they generate higher paying jobs, and they help our competitiveness globally.

Did you know that individuals who have completed registered apprenticeship programs earn, on average, a starting salary of $50,000 a year and $300,000 more over their careers than their peers who did not participate in registered apprenticeship programs? In fact, the apprenticeships can be the start of a pathway to business leadership positions.

Take Martin Senn, who is Swiss. Martin is the CEO of the Zurich Insurance Group, a Swiss company with offices around the world. The last I checked, it was one of the Fortune 500 companies—well, actually, in the Fortune 200 companies in 2012. I don't know exactly where it is now, but Martin is CEO of a huge company. Like many Swiss executives, he is a believer in apprenticeship programs.

When he was asked why Swiss executives choose to implement apprenticeship programs in the United States, he said: ''I started my career as an apprentice and know first-hand how powerful such a program can be in inspiring young people to achieve their full potential.''

From apprentice to CEO, I would like to see more of these success companies involving U.S. companies here at home. Not all apprentices are going to become CEOs, but apprenticeship programs—their training programs—are providing a proven path for workers to enter the middle class and for business owners to develop a high-skilled workforce to fill today's available jobs.

So as we recognize the first ever National Apprenticeship Week, I invite my colleagues to take a close look at my Community College to Career Fund Act. Let's expand the apprenticeship training model so we can better serve the needs of our students seeking good-paying jobs and of our businesses looking for qualified employees.

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.

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

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

EXPORT-IMPORT BANK

Ms. HEITKAMP. Mr. President, finally we see the light at the end of the tunnel, and it is not a train. It is, in fact, the eventual and necessary passage of the Ex-Im reauthorization bill.

As you know, last week the Ex-Im bill passed the House by a vote that was 72 percent in favor. We have been told for months and months as we debate the Ex-Im Bank that this bill could not possibly pass the House as a stand-alone bill. Remarkably, when that myth was put to the test, we found out that not just 51 percent, but 72 percent of the House supports reauthorization of the Ex-Im bill.

Last night we faced another challenge for the Ex-Im bill which was, in fact, a series of amendments on the Ex-Im portion of the Transportation bill. Once again, we exceeded expectations by having supermajorities on almost—in fact, all of these amendments suffering defeat at a very wide margin. So now what we know is we have a bill that continues to have broad-based support and continues to represent the necessary steps that need to be taken to reauthorize and reopen the Ex-Im Bank.

Let's just recount history. The Export-Import Bank has been closed for over 3 months, preventing needed support for small business across the country. Many of those small businesses—guess where they are? They are in States such as North Dakota. A lot of people, such as my colleague from Washington State who has come on the floor—I think everybody understands the significance of exports to States on the Pacific Rim and understands that story, but I don't think anyone really thinks about the Ex-Im Bank in conjunction with places such as North Dakota. So I wish to take a few moments today to talk about small business, to talk about the people who have been dramatically affected by the closure of the Ex-Im Bank and why it is so important that we understand, appreciate, and not have a long-term history that does not move the Ex-Im Bank forward.

Let's start out by talking about the 5,800 small businesses around the country that depend on the Export-Import Bank to finance export deals and how many of them right now have no support as this issue has languished in the Senate. I think we all know that small business makes up a large percentage of that economic opportunity in the United States. That is true in North Dakota and true to a greater extent because probably 95 percent of all employers in North Dakota qualify as small businesses. For many of these businesses, if they do not have help exporting their products, that help, which the Export-Import Bank provides, they can't grow. With more than 95 percent of all consumers in the world living outside the United States, if businesses in the United States do not export, if they are not competitive, we will lose economically.

Several of my colleagues have been on the floor talking about manufacturing and talking about economic opportunity. At the end of the day this is about small business, but it is also about the jobs that small business create. So we have seen companies such as GE and Boeing, which use, interestingly enough, 16 suppliers in North Dakota that are dependent on the work GE and Boeing does—and their necessary reaction to the failure of this Congress to appropriately and timely reauthorize the Ex-Im Bank has been to look for other ways to encourage their business growth, and that encouragement has not been in this country. They have had to look overseas.

So it is critically important we understand the idea of a supply chain. Everybody says: Well, this is a bank for big business. This is a bank for these people. That is just pure nonsense. In every one of those deals that is done for one of these major manufacturers, inside that deal are literally thousands of small businesses and hundreds of thousands of jobs created in those small businesses as they support the supply chain.

I want to talk about a number of the export-import uses in my State and brag a bit about the work they do because they are on the cutting edge with a lot of their technologies. The first business I want to talk about is Amity Technology. It is a 20-year-old family-owned company based in Fargo that sells farm manufacturing equipment to companies around the world. They began in August of 1977. They sold their first business to Case International and then built Amity in the winter of 1996.

What I love to tell about this story is these brothers—one of whom I went to college with—come from the family who actually created the Bobcat. So they have been entrepreneurs, they have been inventors, they have been innovators, and they have driven a lot of jobs in North Dakota.

Amity is a big user of the Ex-Im Bank. It is the largest distributor of sugar beet equipment, working with some of the world's largest farm equipment companies around the world. With agriculture markets slowing down, business is harder to come by and so it is particularly important they have all the tools in their arsenal. Without the help of the Export-Import Bank, the company, which employs 70 North Dakotans, could quickly lose out on at least 10 percent of their business and face tough questions about the future of their exports.

The next business I want to talk about is WCCO Belting in Wahpeton. Wahpeton is a small community in the far southeastern corner of our State. It is a 60-year-old, family-owned rubber supply company often used in farm equipment that is supplied to every major farm equipment company in the world.

For 12 years, the Export-Import Bank has allowed WCCO Belting to continue to export opportunities it had previously been ignoring. The Bank has supported over $850,000 in exports from the belting company since 2007. The company employs 200 employees who generate more than 60 percent of their annual revenue from customers that are located outside of the United States. That would not be possible if it were not for the Ex-Im Bank; if that 60 percent of their business is driven by the opportunity that the Ex-Im Bank gives them.

I want to talk about JM Grain. That is a small grain company in Garrison. They are a young family-owned pea, lentil, and chickpea distributing company that supplies their products to top packaging and food companies around the world. When you look at their numbers, $15 million—in fact, 70 percent of the company's annual revenue for almost a decade—has been backed by the Ex-Im Bank. It has allowed JM Grain to pursue export opportunities to top manufacturing and packaging food ingredient companies that demand buyers to provide financing for 90 to 100 days—something they could not do on their own.

Incidentally, they could not find a private bank that would be willing to do it. Without the Export-Import Bank, JM Grain would not have been able to pursue exports to such high-quality, high-selling companies because it would have to significantly cut its price or risk going under.

The company now has doubled or tripled the pay of its workers, retaining its workforce throughout the oil boom, which has been awfully tough in North Dakota given high living costs, and has been able to hire top technological workers. It is incredible. It is an incredible story, but it is a story that would not be possible without the Ex-Im Bank. It is responsible for $10 million of the company's annual $15 million in revenue. Without the Export-Import Bank, the company would risk losing sales to competitive exporting companies abroad, including companies from India, China, and South America.

The last company I want to talk about is Equipment Wholesalers based in Fargo, ND, and Sioux Falls, SD. They sell equipment such as John Deere tractors in the United States and abroad. Equipment wholesalers told us if the Export-Import Bank is not reauthorized, it will have a negative impact on the company's sales. How great is that? Well, it will be a 35- to 40-percent impact on their sales. Imagine that. Just because of the inactivity of Congress, we have risked 35 to 40 percent of this company's business. The company acknowledges it has already lost business to companies in Germany that have access to Germany's export-import agency. They say without the Export-Import Bank being reauthorized, Equipment Wholesalers will lose even more business.

While our businesses are left at a disadvantage because the Export-Import Bank expired, foreign—foreign—export-import banks, including those in India and China and 60 other places around the world, are hugely benefiting. In fact, they are wondering what is going on in the United States, but we are not going to let any grass grow under our feet as we run to daylight and a take advantage of the inaction in Washington, DC. They are already stepping in and filling our place.

If we do not reauthorize the Export-Import Bank to support American businesses and manufacturers, China and India will step in. There is no doubt about it. They are already doing it. In fact, during the recent downturn in both of those economies, the first investment they made was putting billions more in their export credit agencies. Do you know why? Because it made business sense. It made sense to their balance of trade. It made sense to their economy to support their manufacturers, especially in an environment where we weren't supporting ours.

Last week my bipartisan bill with Senator KIRK, which would reauthorize this agency, passed with the support of more than 70 percent of the House. Just yesterday—again, I will repeat—the Export-Import Bank reauthorization was attached to the House Transportation bill. Despite efforts to once again derail the Export-Import Bank from people who believed they could kill it altogether with amendments, over two-thirds—and in most cases those same House Members who tried to kill it—voted against those Export-Import Bank-killing amendments.

Doesn't that tell us something? Doesn't that tell us that the vast majority of people here are not ideologues; that they look at the facts? They say: In what world would you not support exports?

We used to do this in State government when I was attorney general and when I served on the Industrial Commission. We would talk about North Dakota's economy and we would say: What do we do to grow economies? We say: We have new wealth creation. I am not picking on retail businesses. Retail businesses typically, unless we are inviting Canadians, which we do, to come

down and spend money, they are not new wealth creation. It is those things that bring new dollars to our State. If you look at new wealth creation in this country and look at what creates wealth in this country, guess what it is. It is exports. It is having a favorable balance of trade. It is making sure we are a country that believes in reaching out to the 95 percent of the consumers in this world and saying to them: We produce the best quality agricultural products, we produce the best quality manufacturing products, we are the top supplier and the most trusted source of products in the world, but we need the tools to make those sales, and the Ex-Im Bank is a critical tool. It is part of that structure of trade infrastructure that we need to make this work.

I hope, I sincerely hope—because I don't know whether I am going to be here when we go through this again—I hope the lessons of the last 3 months have been learned. I hope the lessons we have been preaching since really this spring—that we cannot let this Bank expire and there will be dire consequences if we do—have been learned and that the Ex-Im Bank and the people at the Ex-Im Bank, but more importantly that our American businesses that rely on the Export-Import Bank, our jobs that rely on the Export-Import Bank, and our opportunities created by the Export-Import Bank, are never forgotten; that they are never left behind.

Once again we have cleared yet another hurdle. The light is at the end of the tunnel. We believe we are ready, willing, and excited about the opportunity of once again opening the doors of the Export-Import Bank and welcoming American business in and saying once again, ''America is open for business'' to the rest of the world.

Mr. President, I yield the floor to my friend from Washington.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, I thank my colleague from North Dakota for coming to the floor again to talk about the Export-Import Bank and today specifically outlining how this program of credit insurance helps finance the sales of U.S. products in overseas markets, particularly for small businesses.

She and I, obviously, are stalwarts on what are economic opportunities in a global economy. We want to make things in the United States of America and we want to sell them to overseas markets. So we are here today to thank our House colleagues for standing up and defeating amendments last night that would kill the Export-Import Bank as a part of a package in the transportation deal. We are proud of those Senators who have supported this in the Senate, but we are especially proud of those House Members who went to the extent of getting a discharge petition to demonstrate that 313 Members of the House of Representatives support this policy.

My colleague and I are not giving up on trying to emphasize to people we have waited way too long to get this done and now we should not wait one moment longer. We should make sure this part of a transportation bill—while not necessarily our choice for how this gets done—finally gets over the finish line so we can put our small businesses back to work.

As my colleague said, small businesses are the key to her State's economy. Well, they are really the key to the U.S. economy. Fifty percent of all U.S. jobs are provided by small businesses. So that is why we have talked about this issue as it relates to those job providers.

If you are in North Dakota and Washington State and you are growing an agricultural product, you show me the bank that is going to finance that sale. I know maybe people don't think about agricultural products when it comes to Ex-Im Bank, but that is exactly what we have in mind because our States produce so many agricultural products.

The fact is small businesses need global customers. Why? Because if we are just going to grow product for the United States of America, we are not going to be growing much job opportunity. Ninety-five percent of consumers live outside the United States, and we want to make sure we are selling to them, but when we are selling to a country in Africa or we are selling to a country in Asia and you go to that bank in North Dakota or even in Walla Walla, WA, or someplace, and you say: Listen, I want you to help me do a deal with this buyer in a very small country, they want to know, what the securitization is. The securitization of that issue is usually all the capital of that company, which means they are not going to do the sale or they are going to try to find a bank that is also not going to do it because they do not have the security to put behind that.

That is why credit insurance was created—to help those sales actually happen. That is why this is such an important issue to small businesses. People think, well, OK, we get it, you are concerned about jobs. This is not just about the jobs in our State today, although we care immensely about that; this is about the way the Senator from North Dakota and I view the economy of the future. We view it as an economy that is taking opportunity of what is happening with the growth of the middle class outside the United States, that and selling them U.S.-made and U.S.-grown products.

Less than 3 percent of small businesses today are exporters. How are we going to get them to be exporters? We want them to take risks. How are we going to get them to take risks if they can't get financing for their products? If 95 percent of consumers live outside the United States, that is where the rising growth is happening, that is where the big opportunity is, and we want our small businesses to do something about it. Yet we take away the one tool that has been there to help small businesses finance those. It was a big mistake. My colleague talked about that.

There were more than 3,300 small business deals approved by the Export-Import Bank in 2014, so that was a lot of economic opportunity. I have met people from many of those companies. They warm my heart and make me believe the United States of America can win at any economic opportunity it sets its mind to.

When I think about a Yakima company that makes music stands—Manhasset has been in the music stand business for 40 years. They are selling music stands all over the United States of America. They get up every morning, they go into that factory, and they try to figure out how they are going to improve their processes, how they are going to improve access. But if you say to them that every sale they make to an overseas market has to be backed with their own capital—from Manhasset—how long will it take before someone comes in and competes with them and basically knocks them off and defeats them? It is not going to take long.

What they have to do is constantly grow their market opportunities and stay ahead of technology investments, even with a music stand, the best techniques, the best practices, and get your reputation as the best product and advertise and continue to dominate in the marketplace. That is what selling and exporting are all about.

The two of us come from export States, Washington State being a major exporter and North Dakota being an exporter. We know in our DNA that we have to compete. We want our small businesses to compete, and that is why both of our States have been big users of the Export-Import Bank, and we want these deals.

In helping to support those small businesses, the Export-Import Bank has done $10 billion worth of exports. Isn't this what we want? Isn't this what we want in the United States of America, to help small businesses grow and become exporters? They are winning. They want their products to be purchased by overseas consumers.

When they don't support the Export-Import Bank, they are saying: I want to make it really, really, really hard or impossible for you to make that sale, because you are going to have to go find somebody to finance it. And we all know that people would rather do a lot more financing of dark derivative markets than helping small businesses get their deals done.

We are so happy that our colleagues in the House of Representatives last night defeated 10 amendments to kill the Export-Import Bank and that it is now traveling over here as part of a transportation package that will go to conference, and hopefully in the next 2 weeks we will be able to rectify this issue and put our small businesses back to work. This is so important not just

for the companies using the Export-Import Bank today but because my colleague and I know we have to grow our economy. We know we do great work and we produce great products. We need to make sure that in the developing world, we can access the opportunity to get our foot in the door and make the sale. Don't stop us from doing that. Let's finally get this Bank reauthorized and get on our way to growing a stronger economy.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Ms. HEITKAMP. Mr. President, I want to make one final point, along with my colleague from Washington State. I don't know how many times the Senator from Washington and I have been on the floor telling the story of the Ex-Im Bank, about what the problems have been since we have closed the Bank for business, talking about what this means for small business, trying to reflect the amazement we get from our small businesses: Why is this happening when we return money to the Treasury and this doesn't cost anything?

I find it curious that as many times as we have been down here, there has been no one down here arguing the counterpoint. There has been no one down here willing to ask us to yield for a question about why we believe what we believe about the Ex-Im Bank. There is no one down here challenging what we are saying about the Ex-Im Bank. I find that interesting, and I think it is a lesson maybe for the future—let's not mess around with jobs; let's not mess around with people.

I think everybody thinks they are picking on some kind of large corporation, but the reality is that those large corporations in many ways can wait this out or they can devise a business plan that gives them a workaround from the Ex-Im Bank or they can assemble their materials someplace other than the United States. But my small businesses, the ones I just outlined, don't have that choice, and they don't have a big line of credit they can use to just wait this out. They don't have the ability to wait.

It is one thing to say we are all about small business and helping small business. We hear it every time. The two great lines that are used here: We care about the middle class and we care about small business. But as it relates to the Ex-Im Bank, there has been no activity here that would actually prove the point that we care about small business.

So I want to say I do find it extraordinarily curious that we have gone unchallenged in this whole discussion. No one really wants to take us on because at the end of the day there is no argument on the other side. Yet we have closed this Bank for over 3 months. We have closed this Bank and this opportunity for America's manufacturers, America's small businesses, and all of the great people who work there.

Just know that I am so grateful for the work of my colleague from Washington. She has been an incredible leader. I thank her for everything she has done. She is an expert on the Export-Import Bank but also a woman who has been in business most of her life and who understands the critical importance of the Ex-Im Bank.

So let's not unlearn this lesson. Let's make sure this never happens again and that we never disrupt Americans' economic opportunity the way we have by shutting down the Export-Import Bank for the last 3 or 4 months.

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

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

SOLUTIONS TO DEFORESTATION

Mr. SCHATZ. Mr. President, I rise to talk about one of the solutions to one of the driving forces behind global climate change; that is, deforestation. After fossil fuel combustion, deforestation is the single largest contributor to human-induced climate change, but the exciting thing is that we have proven cost-effective solutions at hand that can go a long way in addressing this problem.

Forests in the United States and around the world provide important services to people—services that are not adequately or appropriately valued by the free market, creating a market failure. These services include many things that we all take for granted—clean air, clean water, wildlife habitats, and long-term carbon sinks that absorb and sequester carbon pollution for years. Because these functions of a healthy forest ecosystem don't have a dollar sign attached to them, they are often not incorporated into decisions made by businesses, consumers, and governments, but just because they don't have a pricetag does not mean they are without value. In fact, the 2008 study pegged the cost of deforestation to the global economy at between $2 trillion and $5 trillion per year.

As the U.S. Forest Service put it, ''When our forests are undervalued, they are increasingly susceptible to development pressures and conversion. Recognizing forest ecosystems as natural assets with economic and social value can help promote conservation and more responsible decisionmaking.''

I agree. Adequately valuing forests, and the services they provide offers many benefits to local populations to the climate. Limiting deforestation and forest degradation will not reduce global carbon pollution and slow the pace of climate change. It will also help to safeguard the livelihoods of the more than 1.6 billion people who the U.N. estimates depend on forest services.

What is more, tropical forests are the source of over one-quarter of all modern medicines. Forests impede the transmission of insect- and animal-borne infectious diseases. So beyond the economic benefits, we know that keeping our forests intact can improve the livelihoods of billions of people while avoiding drastic increases in global temperatures.

Thankfully there are good solutions available to address deforestation. We can start by properly enforcing laws that are already on the books. I plan on working with my colleagues to ensure that we fully fund the agencies charged with enforcing the ban on illegally sourced timber and paper included in the 2008 amendments to the Lacey Act.

When the leaders, environmental ministers, finance ministers, and climate negotiators from all nations meet in Paris later this month, I hope they will keep in mind the many advantages of reducing forest loss in rainforest nations and other developing countries. I hope my colleagues will recognize the crucial role that the United States can play in sharing our best practices and helping to build capacity in those countries so we will all be better stewards of our natural environment.

A changing climate brings with it a unique set of challenges, but it is not too late to take the necessary steps to avoid the worst impacts of climate change. There is good news to be had. We have at our disposal a wide range of solutions for reining in our emissions of carbon pollution. Addressing deforestation is one of the most effective and cost-effective ways to slow global warming, while enhancing the lives and livelihoods of the hundreds of millions of people who rely on forests and the services they provide.

CLEAN POWER PLAN

Mr. President, I wish to talk about another aspect of climate change and another reason for hope. Two weeks ago the Clean Power Plan was published in the Federal Register, meaning that it is now the law of the land. This is the signature achievement of President Obama's efforts to reduce carbon pollution. It will reduce carbon emissions from the power sector by 32 percent by the year 2030. The power sector is the source of some of the most cost-effective emissions reductions, and the Clean Power Plan is the most critical and vital step toward putting the United States on a path to a low-carbon economy.

Powerplants are the largest single source of greenhouse gas emissions in the Nation, accounting for more than 30 percent of all U.S. carbon pollution. There are currently no limits to the amount of carbon pollution that can be emitted from powerplants. I want to repeat that. There is no limit under the law before the Clean Power Plan to the

amount of carbon pollution that can be put into the air.

This is despite having landmark legislation already in the books called the Clean Air Act. The Clean Air Act requires the Federal Government to regulate airborne pollutants. It doesn't require or allow the Federal Government to select from among a menu of airborne pollutants and decide which ones will be most cost-effective or most important to regulate. It says the EPA is charged with taking airborne pollutants and regulating them, to place limits on them. It is a mistake that over the last 20 years, even though we have recognized that carbon is an airborne pollutant, that it is not regulated under the Clean Air Act.

The Clean Power Plan fixes this problem. It is an innovative and flexible solution that gives States the right to develop their individual plans. This is also an important point. The first iteration of the Clean Power Plan was a little more of a blunt instrument. It was geographically constrained. It was powerplant constrained. Therefore, a lot of States, a lot of utility companies came back and said: Look, there are going to be individual instances where it is going to be very difficult to reduce carbon pollution at a particular site because it is rural, because it has already been capitalized, because we can't get the financing to reduce the carbon pollution at a particular site, but if you allow us to work what they call outside of the fence and you allow us State by State to reduce in the aggregate the amount of carbon pollution put into the air, then we can make this work. We can still have what they call good power quality, which is to say you don't want undulations in power quality to the point where you have blackouts and brownouts. That was industry. That was regulators. That was a public utilities commission. That was energy companies coming back and saying this is not workable.

The EPA came up with a scenario where we are still regulating carbon pollution under the Clean Air Act, but we are doing it in a way that is totally workable for every State and every energy portfolio in every region in every State. It gives States the rights to develop their own individual plans to cut carbon pollution from the energy sector. The Clean Power Plan has sent a signal to the rest of the world that the United States is serious about preventing catastrophic changes to our climate.

The American public knows that climate change is a problem and large majorities want us to act. A Stanford poll found 83 percent of Americans, including 61 percent of Republicans, say that if nothing is done to reduce emissions, global warming will be a serious problem in the future. Now, 77 percent of Americans say the Federal Government should be doing a substantial amount to combat climate change, and 67 percent of Americans support EPA action to curb carbon pollution.

In other words, 67 percent of Americans support the EPA action that is being undertaken right now. They support the Clean Power Plan. They may not know the details, but they understand the basic premise which is that the Clean Air Act is the law of the land. It was passed a long time ago with large bipartisan majorities. The basic idea that the Federal Government has some simple responsibilities, and one of them is to keep us safe from air and water pollution, is a bipartisan consensus not in this Chamber, unfortunately, and not in the other Chamber, unfortunately, but across the country, everybody understands that carbon is a pollutant, and we should try to reduce it over time as much as we possibly can.

I think it is time we acknowledge that the electricity industry is already changing. We are rapidly moving away from fossil fuels as the dominant source of electricity generation. Soon even low-priced natural gas may not be able to compete with wind and solar energy. We should be celebrating these advances and devoting ourselves to finding ways to accelerate this transition, not throwing up roadblocks.

The truth is the Clean Power Plan is merely accelerating market trends that are already underway. Listen to this. Through the first 9 months of this year, over 60 percent of new U.S. capacity additions were renewable energy. More than 60 percent of the new power generation in the United States over the last 9 months has been clean energy. That is the change that is happening. That is the clean energy revolution.

In 1998, when I was in the State legislature and I was helping to work on net energy metering laws, solar tax credits, and a renewable portfolio standard, this was aspirational. This was something we hoped we would eventually achieve, but 60 percent of new generation this year in the United States is clean energy. It is already happening.

As wind and solar prices fall, they are increasingly competitive with new fossil generation in more and more places around the country. To my colleagues who warn of massive price shocks from the transition to clean energy, I point out that we are already underway with our transition, and the massive price shocks have not happened. The Clean Power Plan is the most important power tool that we have in our arsenal to fight climate change.

To my colleagues who are trying to stand in the way of making real progress toward reducing greenhouse gas emissions, I say this: When you are ready to be constructive and work on a comprehensive energy policy, to work on a comprehensive climate policy, we are open.

I have continued to come to the floor of the Senate over the last several months, over the year of 2015, and have said this is an issue that has unfortunately become incredibly partisan. This is an issue where we have Democrats coming to the floor offering constructive solutions and an empty side of the Chamber on the other side, but this is the challenge of our generation. This is our obligation as the indispensable Nation. The United States has to lead. The Senate has to have a real debate on climate and energy policy, and we need Republicans to step up. This issue is crying for Republican leadership, and I am looking forward to the day—hopefully very soon—where we will have it, where we will have a serious negotiation.

I understand that not all of my ideas will win out, not all of the progressive perspectives will win out, but that is the legislative process. We need a dance partner. We look forward to that moment.

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

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

MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

(At the request of Mr. RISCH, the following statement was ordered to be printed in the RECORD.)

VOTE EXPLANATION

Mr. RUBIO. Mr. President, today the Senate voted on a motion to proceed to H.R. 2685, the Department of Defense Appropriations Act. I would have voted yes.

Funding our military and keeping Americans safe used to be a point of bipartisan consensus in Washington. Unfortunately, for the third time this year, Senate Democrats have blocked a bill that provides funding for American men and women in uniform, their housing, health care, and benefits. Although we will ultimately need additional funding to confront the vast array of national security threats we face in this century, this bill includes important funding we need now for procurement, modernization, construction to maintain our military bases, and vital funds for the intelligence community who work in secret as our first line of defense. It also includes funds for ongoing operations against ISIS, Al Qaeda, and terrorist organizations globally who seek to do us harm.

As they have shown on issue after issue, President Obama, his administration, and Washington Democrats are not serious about confronting the challenges we face as a nation. We need