I want to get this done. I believe the people of Puerto Rico deserve having it done, but it has to be done right, and it can't be done by gouging everybody else in America for profligacy and improper conduct in Puerto Rico.

With that, Madam President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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 Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

FLINT, MICHIGAN, WATER CRISIS

Mr. PETERS. Madam President, I wish to talk about an issue my colleague Senator DEBBIE STABENOW of Michigan and I have been working on for 2 months. It is an issue that is sad and has been absolutely catastrophic for people who live in our State, in the city of Flint.

In fact, today we had hundreds of folks from Flint come to Washington, DC, to attend a House hearing that was held to talk about what had happened in Flint and to get answers from the EPA Administrator, as well as the Governor of Michigan. The folks came to make sure their voices were heard in this tragedy, to make sure people would see them as human beings who are being afflicted by this horrible tragedy. They are in a situation where they can't turn on their tapwater and have clean water, water free from lead.

I think many folks are aware of what happened. We had a situation where an unelected emergency manager was appointed by the Governor to save dollars, to save money, and in the process contaminated a water system.

The decision was made to move away from clean Detroit water from the Detroit water system—water that comes from Lake Huron in the Great Lakes—and move on a temporary basis until a new system could be put up and running that drew water from the Flint River. The Flint River was known to be water that was very corrosive. In fact, General Motors had an engine plant along the Flint River and used Flint River water in their manufacturing process but found that the water was so corrosive that it was damaging engine blocks. So they stopped using this water because of the damage it was doing to the manufacturing process, but, unfortunately, the unelected emergency manager and the State government decided to use that water for the people of Flint as a source of drinking water, and they did not put in the proper corrosion control chemicals that may have mitigated this disaster. As a result, this highly corrosive water was going through the pipes, damaging the pipes, and released very large amounts of lead that has led to the contamination of an entire water system.

This should have never happened. This is a disaster that was clearly manmade. It was a result of negligence on the part of those folks who were given the trust to run the system properly. Now we are left with an absolute catastrophe in the city.

Although every resident is hurt, there is no question that it is primarily the children of Flint who have been impacted as a result. That is what is so insidious about lead poisoning. Even though it will eventually be flushed out of your body, if you are ingesting this when you are young while your brain is still developing, it can have permanent brain damage. That damage can be mitigated, but it is going to require the use of wraparound education services. It is going to make sure those children have proper nutrition and make sure they have health coverage, but certainly this is every resident in Flint, not just children but also the elderly and everybody who is a resident of that city.

What has been so frustrating about this effort is that certainly we know this is the State's responsibility. The State broke it. They need to fix it. The State needs to put substantial resources in place. The Governor was here today talking about some of those efforts. He needs to do a whole lot more. Everybody agrees the State has to do a whole lot more, and taking responsibility means making sure the resources are there to provide the services that are going to be necessary—not just now but for what will likely be many decades in the future.

What I am concerned about, what the residents of the city of Flint are concerned about, is that although right now this issue has received national attention and the eyes of the country are focused on Flint, they know that sooner or later the TV cameras will go, that the lights will not be shining on Flint, and people may forget what happened in Flint. However, the people of Flint will be left dealing with this problem for decades to come. We cannot let that happen. These people cannot be forgotten. Certainly Senator STABENOW and I have been working aggressively to hopefully force the Governor to create a future fund that will provide resources for years to come for the people who have been impacted by this horrible crisis.

Even though this is a State responsibility and the State needs to step up and do more, there is also a role for the Federal Government. Wherever there has been a disaster anywhere in the country, the Federal Government has stepped up and helped those folks who have been the victims of disaster. Some argue this is a manmade disaster, the Federal Government shouldn't be involved in it, and we only deal with natural disasters, but I would just say ask the people of Flint: Does it matter who actually caused this problem? Can we be there to help folks? They don't care. They don't really care where it came from. They just know their children have been poisoned. They have ingested lead. They know they can't use the water. Even now, although they have filters, a lot of them can't use the water. They are living on bottled water.

Today I had a woman named Gladys who came up to me. She traveled to Washington to tell her story. She brought a bag with hair in it. She is losing her hair as a result of using some of this water. She can't use her home. She was in tears as she talked about the lost value of her home, her entire life's savings in this house. Now she doesn't know what that house is worth because she is not sure whether the water is safe to drink.

Folks in Flint don't care who caused this problem, they just need help. In the past, the Federal Government and this body, the Senate, have always stepped up to help those in need. That is the right thing to do. That is what the American people expect us to do. The American people look to make sure that they are always in a position to help those in need. It is our values. It is who we are as a country. It is who we are as a people. Yet it has been extremely difficult to get that help out of this body.

I am pleased to say that in the last 2 months we have made some progress. Senator MURKOWSKI of Alaska and Senator INHOFE of Oklahoma have been great in working with Senator STABENOW and me. We have been able to build a list of cosponsors who are also helping us in this effort: Senator BURR, Senator CAPITO, Senator KIRK, and Senator PORTMAN. A number of Senators have come together on both sides of the aisle to say: Here is a solution we can get behind.

The proposal Senator STABENOW and I have worked on will provide money through the Safe Drinking Water Fund. It will provide grants for any community that has an emergency. Any community, not just Flint, that finds itself in an emergency of this kind could reaccess these resources. Although Flint is the only community right now that would qualify, we believe there are other communities that will likely qualify in the future. In fact, there may be some in a relatively short period of time.

It also creates a loan fund of potentially up to $700 million—perhaps even more—that every single community can access. This is an issue every community in our country may potentially face. With aging infrastructure, we know there are incredible infrastructure needs that have to be met, and the legislation we have worked on helps every community of every single State deal with this very important issue.

It also addresses some of the health issues I mentioned earlier in my talk—issues that help the children and the residents who have been poisoned by lead—by plussing up public health programs for lead abatement and helping the CDC do its great work to help folks.

This is a commonsense proposal that addresses some of the pressing needs in the city of Flint, while also addressing some of the pressing needs we face as a country to make sure we are investing in water infrastructure so that a citizen, no matter where they live or who they are, can turn on their tap and have clean drinking water come out of it.

We have also worked hard to address some of the concerns we heard from the other side of the aisle, in addition to the fact that this is open to all communities, not just Flint. We also heard that folks wanted it paid for, and certainly Senator STABENOW and I believe that as well. So we are fiscally responsible. We found a pay-for in a program that deals with vehicle technology but one we thought was important to use to help the people of Flint and help water infrastructure projects across the country.

The important thing about this, in addition to dealing with the problem and in addition to its being completely paid for, is that it also reduces the deficit. It will actually generate more money than is necessary to pay for this bill and will reduce the deficit.

In the past, when we have had a national disaster such as the one we have seen in Flint, normally we see emergency funds being used, as we have done with bridge collapses and oil refinery fires and water main breaks. Even though that is probably the best source to fund this—if you treat the people of Flint like we treat other folks all around the country, we would use emergency funds—we went the extra distance to take a fund and make sure it would completely pay for this program, while at the same time reducing the deficit.

We have done backflips and have worked with our colleagues on both sides of the aisle and have built support, and I believe if this bill went to the floor, it would pass. I think it would pass by a good margin. We believe we have very strong support for it. Yet here we are today, about ready to break for 2 weeks, and we are going to break without addressing this issue that has such strong bipartisan support. This has been a work in progress for over 2 months. It is ready to be voted on, yet we are going to leave without that vote.

We are going to leave because there is basically one Senator out there who doesn't want to see it move forward—one Senator who doesn't really like this proposal. I am not going to speak for that individual, but they have their issues and they continually want more and more. The folks who are suffering right now are the people of Flint. I wish that one Senator who has the hold would have met with the people I met with this morning and that Senator STABENOW and some of our other colleagues met with this morning. I wish that Senator would have heard their stories, heard their anguish, and saw the tears in their eyes as they talked about what they are dealing with. Yet this Senator continues to have a hold.

Now, I understand the Senator may have a problem with a particular piece of legislation. That happens. We are not going to agree on everything. I would just ask that we allow this legislation to come to the floor and the one Senator who has the hold—if he doesn't like the legislation, that is fine—can vote no if he likes. That is certainly his prerogative as an elected Member of this body—to vote no. But please let the other 99 Senators in this body have a say. That is all we are asking for. Put it on the floor and let this body make the final decision as to whether or not this is an appropriate response to an absolutely catastrophic disaster that has hit a community in this country of ours. I don't think that is asking a lot.

Now, I am a new Member here. I am new, but I cannot imagine that folks here in the Senate will not allow legislation that is so important for people who have been impacted in such an extreme way to come to the Senate Floor. What would our Founding Fathers think if they were to look upon the Senate? They were concerned about factions and political parties and a body that would be paralyzed to really work on the tough issues that our country was going to face. I can't imagine looking in the eyes of our Founders and saying: The Senate—the deliberative body, the body that is supposed to take up the really tough issues facing us as a country—refuses to act and refuses to even put it on the floor so it can be debated and voted upon.

So I will close and pass this on to my colleague, the senior Senator from Michigan, Ms. STABENOW, and let her continue. I am certainly disappointed, and I would ask all of my colleagues to please join with us to work to get this to the floor so we can have a vote. The people of Flint cannot wait any longer. The rest of the country is looking at the Senate and they are shaking their heads wondering why the Senate is incapable of putting this issue on the floor and having a simple up-or-down vote.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Madam President, first I want to thank my partner and colleague, Senator PETERS, for his wonderful friendship and commitment to the people of Flint. We both share this. This has really become a second full-time job for us, given what has happened in Flint, in reaching out on behalf of the 9,000 children who are under the age of 6 who have been exposed and the homes that have exposure of lead that is higher than a toxic waste dump.

As a mom and now as a grandmother, I can't imagine what that must feel like for the moms and dads and the grandpas and grandmas and the fear and horror they feel, as well as for the adults and the seniors who are exposed and everyone who is paying a price. Certainly, the business community is concerned now about people coming and doing business and going to restaurants in the city of Flint, despite the fact that there is wonderful work going on downtown in rebuilding this community. There are wonderful, exciting things happening, and now they have really been knocked off their feet because of what has happened.

Across the way in the other Chamber today, there are hearings going on. There is a lot of effort back and forth in talking about who is to blame for what happened. We certainly understand what happened, coming from Michigan, but I have to tell you that we are laser-focused on the folks who had nothing to do with what happened—nothing to do with what happened. These are the people of Flint, who assumed, like each one of us does, that when you get up in the morning and turn on the faucet, when you take a shower or you feed your children, clean water is going to come out of the pipes. We all assume that. That is pretty much a basic human right, certainly in America. It may not be in other countries, but it certainly is in America, where we assume that is the case.

In America, when a community is struck by this kind of catastrophe—a catastrophe they did not cause—we come together as Americans. That is what we do. We pitch in. We do what we can to help. That is what Senator PETERS and I have been hoping to accomplish on behalf of the people of Flint.

Since we have started debating these issues, we have found other communities as well that have challenges—none to the extent we are seeing in Flint, where 100,000 people and the entire city have been exposed to lead poisoning and the whole water system is in shambles. But there are other communities that have challenges, and we believe it is important to help them as well. So we have come up with something, as Senator PETERS said.

We have been working hard for the last 8 weeks to find a bipartisan plan—a compromise—that is not only fully paid for but out of something that I authored in the 2007 Energy bill, by the way. Because of the importance of this to the people of Flint, I said: OK, we will give something we care about here. We will restructure it. We will shorten the time of the program, and we will pay for it out of that.

Senator PETERS, when he was in the House, was the champion for this particular advanced manufacturing loan program. We are saying: OK, we are willing to have that end in order to be able to pay for what is happening in Flint. On top of a fully paid-for program out of a program that Republican colleagues don't like—so we are going to be ending something that folks would like to end—tens of millions of dollars in deficit reduction come along with this for the score. So it doesn't get any better than this.

We were told to find something that is a pay-for that is not going to infringe with what other people care about. We did that. We were told no earmarks. We did that. We were told no new programs built on current programs. We did that. And we added deficit reduction. Yet the children of Flint are still waiting. The children of Flint—for the last 8 weeks—and their families are still waiting.

As Senator PETERS said, we met some of these people this morning, and it just breaks your heart. People are looking at us and saying: OK, you have been working on this and you have this bipartisan group; isn't that great. But what is happening? The children of Flint are waiting.

So we are at a point where this has to stop. We need a vote. We need a vote. We have a bipartisan bill, and we need a vote. We are at a point where we need to have a vote and stop this ability of one person to just hold things up.

First, I want to thank our Republican colleagues as well as Democratic colleagues who have been working with us. First of all, our main Republican sponsor, the chairman of the Environment and Public Works Committee, Senator INHOFE, has been a true champion for supporting water infrastructure investments nationally. I am so grateful he came forward and offered the idea of not only being able to support Flint but to activate a financing program set up in the last water resources bill that would address communities across the country as well. That is terrific. If we can help other communities, along with what we need to do to support the families of Flint, that is great. So we thank him for his diligence. He has really stepped up, and we are so grateful.

I want to thank the chair of the Energy and Natural Resources Committee and the ranking member, Senator MURKOWSKI and Senator CANTWELL, who have been stellar. I can't count how many hours we have talked on the phone, we have had meetings, and we have talked on the floor, and the lengths to which both of them have been willing to go to support us in solving this problem. They have been wonderful—even as late as a couple of hours ago in talking to us to figure out how we could move forward both to address this water infrastructure bill to help Flint and other communities and also to move forward on the Energy bill. So we need to be doing both, and we are at a point where that needs to get done.

We have 10 cosponsors of the bill, and I want to thank Senator PORTMAN and Senator BROWN, Senator KIRK, Senator REED of Rhode Island, Senator BURR, Senator DURBIN, Senator BOXER, Senator MIKULSKI, Senator CAPITO, and Senator BALDWIN. People from both parties have come together to do something that will make things better for the families and the communities that we represent. There are a number of other Members and staff who have been working behind the scenes. We are so grateful for their kind words and encouragement and for the people who have offered their support for what we are doing.

I particularly want to thank our appropriations leaders, Senator COCHRAN and Senator MIKULSKI, for going the extra mile to figure out some strategy that would satisfy the Senator from Utah to get beyond this hold and to come together.

Unfortunately, despite strong bipartisan support and our best efforts, we find ourselves still in a spot, even though we have had conversations today—and I appreciate that, and folks say they still want to work together, but it seems like we go round and round and round and round. We need to stop and have a vote at this point in time. At one point, we thought we had agreement. As I said, we met again today. It would make sense in moving forward to offer the Senator the opportunity to have a second-degree amendment to our proposal. He has a different idea on structuring that. We are willing to make the case, let him make the case, and decide. That is what the Senate is about—have a vote, decide.

The children of Flint need our help. Somehow this procedural stuff—talking to folks about holds and cloture and all this—is not going to turn on the water in Flint. It is not going to help the children who have already been exposed and their families. We need the sense of urgency they have.

When we look around the country—and, believe me, our focus is on Flint. Even though there are certainly other communities in Michigan with water issues, others around the country, we are laser-focused on the place where the water has been destroyed and the people have been poisoned because of a whole range of what happened, and people have not been able to take a bath or cook with water out of a tap or to be able to care for their children or themselves for almost 2 years.

It is also true that when we talk to colleagues in putting together this bill, there are drinking water infrastructure needs around the country to be addressed. Utah will require $3.7 billion in drinking water infrastructure over the next 20 years to meet minimum human health and safety requirements. In Jackson, MS, last month—after random samples showed lead levels above Federal action levels—the mayor issued a warning to pregnant women and children 5 years of age and younger to stay away from tapwater. The mayor also said: This is not Flint because we are telling people about it and we are taking action, which, unfortunately, did not happen to protect the health and safety of the people in Flint.

Last month in Crystal City, TX, there was black sludge water coming out of the faucet, and residents were warned to boil tapwater before drinking it—in Texas. According to a recent survey by EPA, Texas will require nearly $34 billion in upgrades to its drinking water infrastructure over the next 20 years to comply with minimum safety standards.

Last month in Ohio, 13 water systems were under lead advisories. In Sebring, OH, lab tests last August found unsafe levels of lead in drinking water—and it took 5 months before the city told pregnant women and children not to drink the water and to shut down the taps and fountains in schools.

Just today, the USA TODAY network published a report that identified nearly 2,000 water systems where excessive lead levels have been detected in the last 4 years, and they serve 6 million people.

Virginia Tech professor Marc Edwards recently again sounded the alarm about lead pipes in Washington. In Cleveland, children have high levels due to exposure to lead in household paints. We could go on and on. Pennsylvania, high lead levels.

The reason I am saying this is because while the catastrophe has happened in Flint—for many reasons beyond the control of anybody in Flint—there are other communities now that need help as well, which is why the proposal we have is one that has broad bipartisan support to be able to activate a wider infrastructure-financing mechanism that allows communities around the country to be able to solve problems before they get to what happened in Flint on the early end to solve the problems so people don't get lead poisoning. That is in this bill. We step up, because these are Americans in Flint, MI, and say: We hear you. We see you. We care about you, and because you have a Federal emergency declaration we will provide the opportunity to get some help. In addition to accountability and responsibility of the State, the Federal Government, because of the EPA's role in this, will be a part of the solution in fixing these pipes.

We also address public health issues: the Centers for Disease Control Childhood Lead Poisoning Prevention Fund, HUD's Healthy Homes Program for lead both in water and in paint, and we address the opportunity to reach out and deal with the public health issues for children.

Needless to say, we are extremely disappointed—putting it mildly—in how we feel about coming to a point today, despite best efforts on many people's parts, frankly, despite our patience working with people, accepting them at their word, working, trying to get things done, looking at various alternatives to get beyond the roadblocks, despite a lot of effort. Again, we are grateful for those who have stood with us and worked so hard on our behalf. It is incredibly disappointing and frustrating and, frankly, maddening that we are here as the Senate is leaving for the next 2 weeks and we do not have action on Flint and on water systems across this country.

Again, I can tell you that for the people of Flint who have not gotten help

for so long, for the people of Flint who were told the water was OK and it wasn't—and I have now been watching coverups and slow-walking for going on 2 years—this is just one more time when they are watching inaction and we could be stepping up and doing something to help.

So that is what we are asking for; that when we come back, the children of Flint be a priority for action; that we work together, as we have done across the aisle, to put forward something that will address water infrastructures to help the people of Flint, to help people around the country so they don't find themselves in a situation like the people of Flint; and that we do that together; that we pass that bill; that we pass an energy bill; and that we move forward after weeks and weeks and weeks of good-faith efforts to get something done.

All we are asking for is a vote. That is all we are asking for, after all this effort, is the opportunity to vote. If someone believes it is not the right thing to do, they have the opportunity that we all have, to vote no, but the children of Flint deserve a vote. The children in Jackson, MS, and the people around the country are worried they might become the crisis, the catastrophe in Flint, and are asking us simply to vote.

Lead poisoning is a frightening thing. It gets in your body and never leaves. It goes from your blood to your bones. When a woman gets pregnant, it goes into the fetus. It is a frightening form of poison. If that is not a national emergency worthy of action by the Senate and the House—the Congress of this country—I don't know what is.

Frankly, there are a whole lot of people who have lost faith in the government right now of Flint, who are asking us to see them, to care about them, and to help.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

FILLING THE SUPREME COURT VACANCY

Mr. PERDUE. Madam President, regarding the vacancy on the Supreme Court, many of our colleagues in the minority party have said the same things we are saying today. Let's stop kidding each other. This kind of political showmanship—and, yes, indeed, hypocrisy—is exactly what makes everyone in my home State absolutely apoplectic with Washington.

The last time I addressed the Supreme Court vacancy on the Senate floor, I urged my colleagues on the other side of the aisle not to let the nominations process get bogged down in partisan politics—that is not what this should be about—not to let this process turn into political theater because that is exactly what has happened far too often in this body ever since the Bork nomination way back in 1987.

The organized campaign of vilification and character attacks surrounding Judge Bork's nomination was so unprecedented and so extreme that it took the creation of a new word, ''to Bork,'' to describe what had happened.

The process for nominating Justices to the Supreme Court has been thoroughly politicized ever since. That politicization has done great damage not only to the Court but to this body, the U.S. Senate. It has expanded beyond just Supreme Court nominees and now affects so many of our nominees for circuit judgeships as well. That is what happened in 2013, when then-Majority Leader REID broke a tradition almost as old as the Senate itself by invoking the nuclear option and breaking the Senate's filibuster rule to stack various circuit courts.

I don't think I need to remind any of my colleagues that when the Democrats were in the minority, there was no shortage of protests heard in this room about how sacred an institution the filibuster was. Keep in mind that the nuclear option was invoked after the Senate confirmed the President's first nominee to the DC Circuit by a unanimous 97-to-0 vote. It was an act of raw political power, the nuclear option.

We heard yesterday that the President has named his nominee to the Supreme Court, but let's be clear, any previous confirmation or record as a judge or professional qualifications are not the issue for any nominee. What is at stake is the integrity of the process, not the person. It is the principle, not the individual, because our judicial nominees to the Supreme Court, the circuits, and the district courts deserve better than to be used as pawns in any political fight, and that is exactly what would happen if the Senate were to consider any nominee in the middle of this political season.

I am a new Member to this institution, but this has been the view of my colleagues in both parties who have served in the Senate far longer than I have. This was their view no matter who the nominee was. This was their view even when there wasn't a vacancy to fill.

The former chairman of the Judiciary Committee, Vice President BIDEN, recognized this in 1992, when he said:

> Once the political season is underway, and it is, action on a Supreme Court nomination must be—I want to emphasize that ''must''—must be put off until after the election campaign is over. That is what is fair to the nominee and is central to the process. Otherwise, it seems to me, we will be in deep trouble as an institution.

I agree. The Vice President correctly saw that when we inject a nomination into a contentious election-year atmosphere, we do a disservice not only to the nominee but to the institution of the United States Senate itself. It is my view that enough institutional damage has already been done to the Senate through these politicized nominations.

I wish to say a little about the text of the Constitution. We hear both sides talk about this, but let's see it in detail.

I have heard so many of my Democratic colleagues claim that the Senate has an obligation to schedule hearings and hold a vote on this nominee. We have all read article II, section 2, of the Constitution. Every Member of this body knows the Constitution says nothing about hearings or votes on judicial nominees. It is simply not there.

Senators of both parties have always understood this and have said so for years, regardless of who was in the majority. In 2005, Minority Leader REID said: ''Nowhere in the Constitution does it say the Senate has a duty to give Presidential appointees a vote.'' Before that, in 2002, the former chief judge of the DC Circuit, Abner Mikva, who was a Carter appointee, said: ''The Senate should not act on any Supreme Court vacancies that might occur until after the next presidential election.'' The senior Senator from Nevada and Judge Mikva were right then, and Chairman GRASSLEY and my Republican colleagues are right now.

Despite many of them previously making the exact same points we are today, my Democratic colleagues are continuing this diatribe of telling us to do our job. I would respectfully say to my Democratic colleagues today, we are doing our job. Our job as Senators is to decide how to responsibly exercise the powers of advice and consent delegated to us under our Constitution.

The responsibile course of action here—a course of action endorsed by both Democrats and Republicans for decades—is to refrain from initiating the nomination process in the midst of an election-year political fight. The responsible course of action is to avoid the political theater this nomination would become.

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.

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

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

HONORING NEBRASKA'S SOLDIERS WHO LOST THEIR LIVES IN COMBAT

Mrs. FISCHER. Madam President, I rise today to continue my tribute to Nebraska's heroes and the current generation of men and women who lost their lives defending our freedom in Iraq and Afghanistan. Each of these Nebraskans has a special story to tell. Throughout this year and beyond, I will continue to honor their memory here on the Senate floor.

FIRST LIEUTENANT JACOB FRITZ

Today, I wish to highlight the life of 1LT Jacob Fritz of Verdon, NE. Jake,