

vote. It would be the same for nominees voted out of committee but blocked by the majority leader's inaction. After 180 days, they get their vote.

Let me be clear. If this rule is adopted, 180 days should not become the normal time period to confirm nominees. That is the longest it will take, but there is no reason the Senate shouldn't act quicker, as it has done throughout history.

We need to end the stealth filibuster of this President's nominees. No more burying nominees in committee. No more leaving them to languish on the Executive Calendar. The Senate will have to do its job.

Under my rules reform, Judge Garland would have his vote this week, Senators would do our jobs, and the voters would know where we stand. Many other nominees would finally get their votes. There are currently seven appellate court nominees who have been waiting more than 180 days. There are 30 district court nominees, including 5 judicial emergency districts.

Some critics may argue that the tables will be turned and Democrats will object to a Republican nominee. Well, if a nominee is truly objectionable, then any Senator, Democratic or Republican, should convince the majority of the Senate to vote against confirmation. That is how democracy works.

It is time to get our courts fully staffed so our judicial system can do its work. We have already seen the impact of a Supreme Court with eight members—cases sent back to the lower courts without decisions. The Supreme Court isn't taking cases that are likely to deadlock. These are some of the most important cases for them to decide. When we fail to do our job, the justice system suffers and the public suffers. The old saying is so true: Justice delayed is justice denied.

It is time for Senate Republicans to do their job. The Constitution gives the President the responsibility to nominate Justices on the Supreme Court, and the Senate's job is to consider those nominees. The Constitution doesn't say: Do your job except in an election year.

The President has done his job by nominating Judge Garland. Many Republicans expected him to select a highly controversial nominee—someone to energize the liberal base in an election year—but the President took his responsibility seriously. He selected a widely respected nominee with impeccable credentials, a man who should be easily confirmed. It is time for us to take our responsibility seriously, give Judge Garland the hearing he deserves, and allow the Senate to take an up-or-down vote.

Thank you, Mr. President.

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

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

#### ORDER OF PROCEDURE

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the time from 2 p.m. until 2:25 p.m. be under the control of Senator MANCHIN; further, that the time from 2:25 p.m. until 2:45 p.m. today be reserved as follows: Senator ENZI for 10 minutes and Senators INHOFE and BOXER for 5 minutes each.

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

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

#### WATER RESOURCES DEVELOPMENT ACT OF 2016

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 2848, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (S. 2848) to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

Pending:

McConnell (for Inhofe) amendment No. 4979, in the nature of a substitute.

The PRESIDING OFFICER. The Senator from Iowa.

#### FOREIGN STATE-OWNED COMPANIES

Mr. GRASSLEY. Mr. President, I have been to the floor several times to call attention to foreign state-owned companies' growing investments in American companies and commercial markets. I come to the Senate floor to discuss this further with my colleagues.

It is becoming increasingly clear that foreign state-owned companies are highly involved in international commerce and competing with companies that are privately owned by shareholders with nothing to do with any government. This trend is part and parcel of globalization. While there are some obvious benefits to globalization, we also need to be aware of the challenges it may bring with it, and I think this is one of them.

To give an example, I have seen this trend at work in the agricultural sector of our economy. ChemChina, a Chinese state-owned company, is currently working on a deal to buy the Swiss-based seed company Syngenta. About one-third of Syngenta's revenue comes from North America—meaning the company is heavily involved with American farmers, including Iowans—and that is why I am interested in this transaction.

I have already been considering the approval aspect of this proposed merg-

er. Senator STABENOW and I asked the Committee on Foreign Investment in the United States to review thoroughly the proposed Syngenta acquisition with the Department of Agriculture's help. We have raised the issue because, as I have said before, protecting the safety and integrity of our food system is a national security imperative as well as an economic issue.

There is another aspect of this issue I would like to focus on. I would like to consider the flip side of the approval question. As their involvement in international commerce grows, how can we ensure that foreign state-owned companies are held to the same standards and the same requirements as their non-state-owned counterparts or companies that are in the private sector?

First, consider two age-old principles of international law. One is that American courts don't exercise jurisdiction over foreign governments as a matter of comity and respect for equally independent countries. Each is sovereign. This is called the foreign sovereign immunity. The second is that when foreign governments do in fact enter into commerce and then behave like market participants—conducting a state-owned business, for example—they are not entitled to foreign sovereign immunity because they are no longer acting as a sovereign but rather acting like any business. In that case, they should be treated just like any other market participant. This is called the commercial activity exception to the principle of foreign sovereign immunity.

Congress codified both of these age-old principles in the Foreign Sovereign Immunity Act of 1976. All of these principles are well and good, but I am concerned that in some cases they may not have their intended effects in today's global marketplace.

Some foreign state-owned companies have recently used the defense of foreign sovereign immunity—the principle that a foreign government can't be sued in American courts—as a litigation tactic to avoid claims by American consumers and companies that non-state-owned foreign companies would have to answer. In some cases, foreign state-owned corporate parent companies have succeeded in escaping Americans' claims. They have done this by arguing that the entity conducted commercial activities only through a particular subsidiary, not a parent company often closer to the foreign sovereign. Unless a plaintiff, which may be an American company or consumer, is able to show complete control of the subsidiary by the parent company, the parent company is able to get out of court before the plaintiffs even have a chance to make their case.

This results in two problems. First, there is an unequal playing field, where state-owned companies benefit from a defense not available to a non-state-owned company. Second, there is an uphill battle for American companies and consumers seeking to sue state-

owned entities as opposed to non-state-owned entities. When a foreign state-owned entity raises the defense of foreign sovereign immunity, American companies as well as American consumers don't even get a chance to prove their cases.

Consider the example I talked about a few months ago. American plaintiffs brought claims against Chinese manufacturers for much of the drywall used to rebuild the gulf coast after Hurricanes Katrina and Rita. The drywall in question was manufactured by two Chinese companies, one owned by a German parent and one owned by a Chinese state-owned parent company.

The court considering these plaintiffs' claims had this to say: "In stark contrast to the straightforwardness with which the litigation proceeded against the [German] defendants, the litigation against the Chinese entities has taken a different course." The German non-state-owned parent company appeared in court and participated in a bellwether trial, where plaintiffs were allowed to try to make their cases.

The manufacturer of the Chinese state-owned parent "failed timely to answer or otherwise enter an appearance" in court and didn't do so for a long period of time of at least 2 years. In fact, it waited until the court had already entered a judgment against it. Only then did the Chinese state-owned company finally appear in court. When that company did appear, it argued it was immune from suit in the United States because it was a state-owned company. After approximately 6 years of litigation, it ultimately succeeded in its request for dismissal. In contrast to the German parent company, the plaintiffs didn't have a chance to try to prove their case against the Chinese parent company merely because it happened to be owned by a foreign government. That is a great big problem.

To address these issues, I am proposing a very modest fix to the Foreign Sovereign Immunities Act. This change would extend the jurisdiction of the U.S. courts to state-owned corporate affiliates of foreign state-owned companies insofar as their commercial activities are concerned and only as far as their commercial activities are concerned. It wouldn't create any additional substantive causes of action against these foreign state-owned companies. Instead it would mean only that a foreign state-owned company would have to respond to the claims brought by both American companies and American consumers, just like any other foreign company that isn't owned by a government.

This fix has two main results correcting the problems I just mentioned. First, it levels the playing field between foreign state-owned and foreign private companies by making both subject to suit in the United States on the same footing, as the commercial activity exception originally contemplated. Second, it brings clarity to the sometimes opaque structures of foreign

state-owned enterprises and provides American companies and American consumers the chance to prove their case against these companies just as they would have that opportunity against any private company.

In an age when sovereign-owned entities, with increasingly complex corporate structures, are interacting with American companies and interacting with American consumers more than ever, it is appropriate to reexamine the commercial activity exception and to update that commercial activity exception. We have to make sure it is working as it was designed and as it was historically understood.

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

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

#### NOMINATION OF MERRICK GARLAND

Mr. DURBIN. Mr. President, not once in the history of America has the Senate refused to give a hearing and a vote to a Presidential nominee to fill a vacancy on the Supreme Court—not once—until this moment, a moment in history on the death of Antonin Scalia and President Obama's meeting his constitutional responsibility to send up a nomination to fill that vacancy.

A decision was made by the Republican majority, led by Senator MCCONNELL, that he would not hold any hearing or vote. It has never happened before. Some will say: Oh, Senator DURBIN, if the shoe were on the other foot—it was, not that long ago. It was the last year of Ronald Reagan's Presidency. He was, in nominal terms, a lameduck. There was a vacancy on the Supreme Court. There was a Democratic majority in the Senate. Ronald Reagan sent the name of Anthony Kennedy, his nominee to the Supreme Court, to the Democratic-controlled Senate.

The Senate not only held a hearing and a vote, but they voted in favor of President Reagan's nominee and sent him to the Supreme Court. But this time, with this vacancy on the Supreme Court, the Republican majority has refused to give this man a hearing for 182 days.

He just visited my office again. He was there 5 months ago. Life is more complicated now because he is the President's nominee. He is still the chief judge of the D.C. Circuit Court. That is one of the most important in the United States. He is recusing himself from cases on the chance that he may get a hearing and may get a vote. He is working on the administrative part of the court, but he is not dealing with decisionmaking and writing opinions. So he is trying to show an abundance of caution and not raise any ethical questions if he is eventually on the Supreme Court.

He is a good man. He is highly competent. The American Bar Association has ruled him "unanimously well qualified." This Senate and many of the Republican Senators have voted for him when he went to the DC Circuit Court. Some have said publicly that he is a qualified person, but they have not said it recently.

One Republican Senator slipped back home at a town meeting and said: Well, I think that Merrick Garland, the President's nominee, at least deserves a hearing. That is what he said: At least he deserves a hearing. The Koch brothers came down on that Republican Senator like a ton of bricks and told him: Be prepared; we are going to run someone against you in the Republican primary. Within 24 hours, that Republican Senator reversed his position and said: No, no hearing for Merrick Garland.

So I think we understand the inspiration for this position. It is certainly not the Constitution we have all sworn to defend. The Constitution is very clear. With a vacancy on the Supreme Court, the President is obligated to send a nomination to fill the vacancy. Why would the Constitution require that? Because you can have some political gamesmanship. A President might decide: Well, I will just keep it vacant. Maybe it is to my political advantage.

The Constitution says: No, Mr. President, send a name. The Constitution goes on to say that the Senate has a responsibility to advise and consent to that nomination. That is where the process has stopped and fallen apart.

So why would the Republican majority in the Senate go out on a limb and take a position that has never been taken before in the history of the United States to deny Merrick Garland a hearing and a vote? Well, because there are certain people in high places who want to see a President named Donald Trump fill this vacancy. They believe he would pick a person closer to their political liking, someone who would serve their economic interests. It is a shame. It is unfortunate. Some would argue it is unconstitutional.

That is where we are, and that is what elections are about. I won't even speculate on the type of person Donald Trump would choose to fill that vacancy. I will leave that for someone else another day. It is really sad to think that a judge of Merrick Garland's quality, of his integrity is being treated so badly.

There was speculation that maybe—just maybe—if Donald Trump lost and Hillary Clinton won, the Republicans would relent and in the closing weeks of this year give him his hearing and his vote. Senator MCCONNELL, just a few days ago said: No, not at all, not on my watch—there won't even be a consideration of this nominee.

It is a sad chapter in the history of the Senate, written for political reasons, at the expense of a man who should have his day at a hearing in sworn testimony to tell us how he

would like to continue to serve this Nation.

#### FOR-PROFIT COLLEGES AND UNIVERSITIES

Mr. President, there is an industry in the United States of America that is the most heavily federally subsidized private industry in our country. If I asked Members of Congress what that would be, many would say: Oh, it must be a defense contractor; right? Maybe it is some major farm operation. No, it is the for-profit college and university industry—for-profit colleges and universities.

Think of the University of Phoenix, Kaplan University, DeVry, Rasmussen, and those types of schools.

They are in business for profit. They are the most heavily subsidized businesses in America. The students who attend these for-profit colleges and universities receive Federal money in Pell grants, which they give to these for-profit colleges, and then they borrow money from the Federal Government to pay the tuition at these for-profit colleges. These for-profit colleges—many of them—receive more than 90 percent of their revenue directly from the Federal Treasury.

Well, you would think if an industry or a company were that heavily subsidized, they must be doing one great job—wrong. Here are some numbers. These are going to be on the final. So you may want to make a note. Ten percent of students enrolled in postsecondary education go to for-profit colleges and universities—10 percent.

Twenty percent of all the Federal aid to education goes to these schools. That is 10 percent of the kids and 20 percent of the aid money. Why? It is because they charge so much. Their tuition is so high. There are two other numbers that really tell the story—40. Forty percent of all college student loan defaults are students from for-profit colleges and universities. Why? Because they are so burdened with debt that they drop out or they end up graduating with worthless diplomas. The last number I will give you is 72. So 72 percent of the graduates of for-profit colleges and universities—72 percent, on average—earn less than high school dropouts in America. It is the most heavily subsidized private businesses in America and with awful, terrible results: 10 percent of the students, 40 percent of the loan defaults, 72 percent of the graduates not earning as how much as high school dropouts in America.

Last week, another one of those for-profit colleges bit the dust—ITT Tech, with 35 to 40,000 students nationwide, and 750 in Illinois. I would go home to Springfield, IL, and go by the local mall, and I would look up on the side of the mall and see a sign which read “ITT Tech.” I said to myself: I know how this story ends. Some students are going to walk into that mall, and they are going to sign up for a course, and they are going to be disappointed. They are going to end up with a heavy student debt and a virtually worthless diploma. Someday—just someday—that school may go bankrupt or go away.

That day has arrived. What happened to those students? Let me give you one illustration. If you walked into Springfield, IL, to the White Oaks Mall, to the campus of ITT Tech, this for-profit college and university, and signed up for a course in communications or an associate's degree in communication or in computer management, the tuition they charged students in Springfield, IL, for a 2-year degree was \$47,000—\$47,000.

Get in your car at White Oaks Mall in Springfield and drive for 15 minutes to Lincoln Land Community College, where you could get the same degree not for \$47,000 but for \$7,000—\$7,000. The hours that you accumulated would be transferrable to a 4-year school or wherever you wished to go. The hours at ITT Tech were a laughing matter when students tried to transfer.

So the school went down. The Federal Government took a close look at the practices. They found more than a dozen State attorneys general investigating ITT Tech. Why? What did they do wrong? Well, it was obvious what they were doing wrong. They were deceiving these students into coming into these schools and paying the tuition.

Many of them were steering them into loans—college loans—which were not the best for the students. They were paying higher interest rates than they should have paid. So when they started detecting these things in each of the States, the attorneys general decided to start investigating. More than a dozen of them were investigating this one school.

Then the Consumer Financial Protection Bureau, here in Washington, DC, did the same and found predatory lending. Higher interest rates were being charged by these schools than should have been for these students and the company was lying to students about their ability to repay them. Then the Securities and Exchange Commission got involved as well and found that this same school was really violating some of the basic rules in terms of disclosures under Federal law.

Well, as these and other problems continued to mount, the Department of Education said to ITT Tech: Stop. We are not going to let you go forward and bring in more students and receive more money from the Federal Government unless you put up a bond—a letter of credit—to guarantee to us that the taxpayers won't be left holding the bag if you go out of business.

ITT Tech said: Before we will do that, we will go out of business. They did. So these students are out there trying to figure out what is next in their lives. It is a heartbreaking situation. For many of them, they at least wasted 1 year or 2 years or more. A lot of them have piled up a lot of debt at a school that has now gone out of business.

I have written every community college in my State and said: Would you reach out to the 750 ITT Tech students in Illinois, sit down with them, see if

they have taken any courses or training of value that can transfer, and put them on the right track in terms of perhaps getting that associate's degree at an affordable cost?

There is another thing that is offered through the Department of Education. Once one of these for-profit schools closes, the students have an option. It's called a Closed School Discharge. They can essentially keep the hours they have earned—the credits they have earned and the debt that was associated with it—or walk away from both.

So students will have to decide. I can't decide for them. Once they have had some counseling at the community colleges, they can make that decision. But here is what ultimately happens. When the students walk away from the debt and the hours they earned at these schools, the losers—the ultimate losers—are the taxpayers of America.

You see, when we pay taxes, it goes into the Federal Treasury. The money out of that Treasury is being loaned to these students to give to these schools. When the students default or if they are forgiven their loans, the Treasury is not paid back. Our tax dollars do not return to the Treasury to be loaned again.

So the taxpayers are the ultimate losers. It raises a very basic question. When is our Federal Government going to wake up to the fact that this for-profit college and university industry is causing great harm to a lot of innocent students across the United States and their families and ultimately to the taxpayers of this country?

Steve Gunderson was a Congressman from Wisconsin. I served with him in the House. He is now the spokesman for this industry. He was quoted in the papers yesterday saying that ITT Tech was being treated unfairly, that they were not given due process, and that this industry was being held to unreasonable standards. I could not disagree more.

What the Obama administration is calling for now is to measure the performance of these for-profit schools and to decide whether they should stay in the business. It is called gainful employment. Here is what it boils down to. If you graduate from a school, if you receive a certificate or diploma that they promised, how much debt did you accumulate? How much is your job paying as you come out of school? Can you reconcile the two? Did you end up with a job that ended up paying enough so you could pay back your loan?

Too few of these students can. Mr. Gunderson now argues that we should not hold the schools to those standards, that we should not be concerned about the amount of debt, and that we shouldn't really ask about what kind of jobs these students end up with. I think we should. I think we owe it to the students and to their families to do just that.

I ask unanimous consent to have printed in the RECORD an editorial

from the New York Times that is entitled: "Late to the Fight Against Predator Schools."

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

[Sept. 8, 2016]

LATE TO THE FIGHT AGAINST PREDATOR SCHOOLS

The federal government's failure over decades to regulate for-profit colleges freed the schools to prey on veterans, minorities and the poor by saddling students with crushing debt and giving them worthless degrees in return. This is all the more outrageous because the schools rely on the federal student aid system for virtually all of their revenue.

The Obama administration has taken steps to get these schools off the federal dole. But regulators need to intervene decisively—and as soon as possible—when evidence of fraudulent conduct emerges. They must also reach out to students who are entitled to have their loans forgiven when a school defrauds them or shuts down while they are enrolled.

Just this week, ITT Technical Institute—one of the nation's largest for-profit operations—announced it was closing, leaving about 35,000 students in the lurch.

ITT blamed the Education Department, which recently barred it from enrolling students using federal funds, citing its accreditation problems and financial instability. The department also demanded that ITT come up with more than \$150 million to cover refunds in case it closed. According to the department, ITT could not do so.

The school has only itself and its business model to blame. In 2011, Senate hearings showed that ITT recruiters were deliberately targeting desperate unemployed people for some of the most expensive programs in the for-profit sector and that many students were taking on high-cost private debt after exhausting federal aid. It also emerged that the company was spending more on marketing than on instruction—a giveaway of what the game was about.

ITT's reputation got worse every time it came under investigation or was hauled into court. In 2014, the federal Consumer Financial Protection Board sued it for pushing students into high-cost private loans that were likely to end up in default. A year later, the Securities and Exchange Commission accused it of fraud and charged it with concealing financial information from investors.

Complaints have also arisen at the state level. This year, Massachusetts charged ITT with falsifying job-placement rates for one of its programs. The death knell finally sounded for ITT this spring when the organization that accredits independent colleges and schools told it that it did not comply with accreditation criteria that were not rigorous to begin with.

The Education Department is at fault for waiting so long to end ITT's use of federal aid. Now it needs to adopt and vigorously enforce recently proposed rules that shield the taxpayers from loss when a school is forced to close.

The most important rule would require schools that show signs of financial instability—like being sued by federal entities or state attorneys general or failing to meet requirements for receiving federal aid—to put aside money for debt relief for students hurt by the school's conduct. The companies and their supporters in Congress want the rule rolled back. But the only way to hold schools accountable is to make the cost of abuse high.

Mr. DURBIN. This editorial says that this should be an eye opener. This

should be an awakening for Congress and for our government. We saw Corinthian go down, another for-profit school. Do you know how much that cost the taxpayers? Over \$1 billion. Now, don't believe for a minute that the CEO of Corinthian or even the CEO of ITT Tech is sending any money back to the Treasury. No way. They are off with their millions of dollars—which, as presidents, they took out of these bogus universities—living a pretty sweet life. They got the money, the school went down the drain, and the students are left holding the bag with the taxpayers. We could lose over \$1 billion on Corinthian. Sadly, ITT Tech could turn into another billion-dollar baby. Which one of these for-profit schools is going to fail next?

One they are looking at closely is called Bridgepoint. Bridgepoint is based out of California, but they did something very interesting. Senator Tom Harkin of Iowa had a hearing and told the story of Bridgepoint. Bridgepoint, a for-profit school, bought a Franciscan college in Iowa—a small Catholic girls' college that was going out of business—and they created something called Ashford University. They said: Our campus is in Iowa. This is where we are going to do business.

It turned out it was a fraud on the public. It was the showcase for another for-profit school.

Listen to this. Tom Harkin's investigation found Ashford University had 1 faculty member for every 500 students. They put almost 25 percent of all their revenues into marketing, signing up students, picking up their Pell grants, picking up their college loans, turning it into profits, and paying millions of dollars to their CEO and the officers of their company.

Now they have closed down that campus in Iowa, and they are looking for a home. They need one because now one of the most lucrative businesses of for-profit colleges is the military and veterans. The military provides assistance for Active military members and their families to go to school. These for-profit schools are swarming all over our military bases trying to get these families to sign up and also those who come out of the military with GI bill rights. They have a lot of money to spend—as we want them to spend to improve their lives—and it is these for-profit schools that are crawling all over trying them, trying to get them to be part of it.

Well, they need a base of operations. Bridgepoint does, to continue to receive GI Bill benefits and no State wants them. Iowa has said: No thanks. California, where they are based, has indicated they don't want them either.

So will Bridgepoint be the next? I don't know, but I know there will be another one. There will be more disappointed students. There will be more disappointed taxpayers.

The question that ought to be asked by those who are following this is, What are you doing in the Senate or

the House to deal with this? How are you changing the rules and the law to protect students, their families, and taxpayers? The answer is, we are doing nothing—nothing. That is inexcusable, unacceptable.

I don't know if we will have time this year to take up an issue of this magnitude, but we must. I wish we would, but if we can't, then next year we must.

How many more students are going to face what the students at ITT Tech are facing at this moment? Do we care that the most heavily subsidized private businesses in America are doing such a miserable job for students across the United States? We should.

I sincerely hope my colleagues will join me in this effort. This should be bipartisan. We have a lot of Senators who spend a lot of time zeroing in on whether people are getting an extra 50 bucks a month for food stamps they shouldn't receive. I am against food stamp fraud, but are they not ready to zero in as well on this horrific waste of billions of dollars each year to an industry that is not serving America well?

I yield the floor.

I suggest the absence of a quorum.

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

The senior assistant legislative clerk proceeded to call the roll.

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

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

WASTEFUL SPENDING

Mr. COATS. Mr. President, I am returning to the floor—and I can hardly believe this number—for my 50th edition of "Waste of the Week." I started this thinking that because we have not been able to secure any kind of long-term reform to our broken financial system, the least we can do is identify those documented wastes, frauds, and abuses that inspectors general, the Congressional Budget Office, and the Government Accountability Office have studied, examined, determined, and reported to us. The least we can do to control out-of-control spending by this Federal Government is to stop this waste, fraud, and abuse to the best extent we can—the least we can do.

When I started this, I thought that, well, I am going to come to the Senate floor once a week and we will see what we can determine. I wasn't sure we would have enough information available to us so that I could come down each week during this cycle. We have been overwhelmed. I could come to the floor every day. We have been overwhelmed by what we have learned and found. It is shocking. It ought to be shocking to the taxpayer when they learn about how we waste their tax dollars. These are people struggling to get the mortgage paid at the end of the month, struggling to get the kids' education paid for, struggling to just keep

their heads above water. They are dutifully paying taxes, which are withheld from their paychecks, sending it to Washington, DC. Then they learn it is wasted, that the abuse that goes on has not been corrected, that the efforts to run an efficient, effective government have simply not been implemented, that we have a government out of control in Washington, and that the right hand doesn't know what the left hand is doing.

So these wastes of the week have been pouring in, and this is No. 50. We thought the goal we wanted to reach would realistically be about \$100 billion. We are way above that, and I will be talking about that in just a moment.

Yet here we are again, and this is a big one, Medicaid: the waste of dollars that have been improperly sent to the wrong people in payments for Medicaid—to the wrong people, to people abusing the system or just simply errors. They were not corrected in the systems that account for whom we are paying, what we are paying them, and when they are getting the money.

I first wish to say I acknowledge that Medicaid is a vital safety net program, depended on by many low-income families and children who have no other health care options. Medicaid recipients rely on HHS to effectively supervise the Medicaid Program and so do the American taxpayers who are footing the bill with their hard-earned taxpayer dollars. This is in no way a criticism to take down a program that is necessary to provide needed medical help to low-income people who simply cannot find it any other way.

If we want to maintain the program's integrity, we have to root out the bad actors. We have to root out the abuse and waste of taxpayer dollars or at some point there simply will be a rebellion back that will undermine the necessity of this program.

Most importantly, the Health & Human Services' Cabinet must address the high rate of improper payments that have plagued this program from its very beginning and wasted billions of taxpayer dollars. It seems the problem is getting worse, even though Medicaid has routinely been identified as a high risk for potential waste. Being identified as a high risk, you would think alarm bells would sound and structures would be put in place so we can solve some of these issues and not waste these taxpayers' dollars, give them to the wrong people, or deny others who are qualified and not receiving these payments.

In 2015, Medicaid had the second highest improper payment rate across the entire Federal Government. Over the past 3 years, Medicaid's improper payment rate averaged almost 10 percent each year. Earlier this month, the Department of Health & Human Services put out an alert that Medicaid's improper payment rate for 2016 is expected to increase to 11.5 percent. That is nearly double the rate of improper

payments since 2013. So in just 3 years, the rate of improper payments has doubled.

Instead of correcting the program, instead of moving it in the right direction toward solvency and toward proper administration, it is going in the other direction. That means more and more taxpayer dollars are being simply burned, thrown to the wind. Put it in a fireplace. It is gone. It has gone to the wrong people, they are improper payments, and it is a staggering, staggering number. To put a dollar figure on this, nearly 10 percent of everything that goes out in Medicaid payments—we are talking about \$85.5 billion which will be improperly put out through Medicaid in just 3 years. That is an astonishing amount. Let me repeat that: Having acknowledged there is a serious problem with Medicaid payments and misuse of taxpayer dollars, instead of that being addressed successfully, it has put us in a situation where it is increasing dramatically. Now, in a 3-year period of time, \$85.5 billion has been wasted.

While these \$85.5 billion in improper payments were made, Medicaid enrollment continued to expand as a result of ObamaCare, which means more and more Americans are relying on an increasingly fraudulent system. So we have to ask the question: Why do these improper payments continue to take place? Why is it accelerating? What is happening?

Well, we dug into this. One reason was that a persistent problem lies within the HHS—Health & Human Services—data system for identifying and validating Medicaid and Medicare providers, which HHS directs States to use to help ensure those medical providers receiving payments are actually eligible. The system itself reminds me a lot of ObamaCare. Remember when they rolled out that system? I can't remember the number of billions and hundreds of billions of dollars that had to be spent to fix it when we were assured this was ready to go, all plugged in, and the system collapsed. The taxpayer then had to come in and rescue it with even more hundreds of millions of dollars.

So one problem here lies with the agency itself in terms of implementing the right systems. Bureaucratic mismanagement, which is so prevalent throughout the Federal Government, has enabled providers to obtain Medicaid payments when they aren't even medically licensed in a State or when they do not even practice in the United States. Payments are going to bogus people. Payments are going to people who don't even practice in the United States and qualify for this.

The Government Accountability Office recently examined the addresses listed in HHS's database by some of these providers as their primary place of practice, and it turns out a lot of them are simply fake addresses. Let me put up this first chart that identifies the address of where Medicaid pay-

ments were going. This is a picture of an empty lot. There is no building. There is no place, unless someone has a little tent here or something like that saying: This is my place of practice. Payments are going to this address, and there is nothing there. Everything has been bulldozed. There is nothing there. That was determined by the government, and this is just one example among thousands in terms of how these Medicaid payments are being wasted.

Another listed the address, as we determined, of a fast-food restaurant. I am not going to mention which one it is, but a fast-food restaurant is receiving Medicaid payments. Maybe their food is bad. Maybe someone practices there on a 24-hour basis, sleeps on the floor, and I guess can get a burger for breakfast, a burger for lunch, and a burger for dinner, but it is yet another example.

This fake address was determined by the Government Accountability Office, not by any one of the thousands, tens of thousands of people—maybe hundreds of thousands of people—who work for HHS. One would think they would have something going on within that bureaucracy that would track all this information. Why does this have to go through an inspector general or go through the Government Accountability Office—some agency outside of these agencies such as HHS—to determine this kind of thing? Can't somebody figure that out?

We wonder why the public is frustrated with Washington. We wonder why the public thinks their taxpayer dollars are being misused, and obviously they are. We wonder why we are getting this backlash here in this political year. People are fed up with how the government is so dysfunctional and operates in such a dysfunctional way. They want change, and it looks as though it is going to happen.

Another problem is that criminals understand that poor oversight among the agencies gives them access to Medicaid, which harms patients, such as the case of a pediatric dental company that performed medically unnecessary procedures on children covered by Medicaid. It is bad enough that somebody puts a false address in and receives Medicaid payments in a fraudulent way, but it is outrageous—it is outrageous—that professional people, many of them with doctors' degrees, are using this as a basis to receive Medicaid payments by subjecting children to procedures that are not necessary. This case was a dental company that performed medically unnecessary procedures on children covered by Medicaid. These children went through significant physical pain, such as having a baby root canal. And there is no telling how many other patients have been harmed by providers who should have been prohibited from participating in Medicaid.

Yes, the \$85.5 billion in improper payments is a big deal, but it is also a big deal that Federal agencies are not

doing their jobs and allowing billions of dollars to be squandered. HHS has the tools already at its disposal to prevent these improper payments, such as verifying the locations of physicians' offices and making sure providers are licensed.

My colleagues and I also must remain vigilant and ensure that HHS is fully utilizing its resources to crack down on improper payments and bad actors within Medicaid. We are elected. It is our responsibility to come here and make sure we are doing everything we possibly can to make these agencies cost effective and efficient, so we do not have to come down here every week to talk about some bureaucratic nightmare where taxpayer dollars have been wasted.

Initially, I said our goal was \$100 billion. We are way past that now. We are at \$200-some billion. And with this, we add another \$85.5 billion. Our chart can't accommodate it. We thought we would end up here; then we went to \$200 billion. This is just within this one cycle of Congress, and now we have to add to our chart. We are going to have to get a new chart because we are way up here now. We went way over our chart. The grand total of wasted taxpayer dollars is \$326 billion. That is not small change, Mr. President. That is hard-earned tax dollars.

Think what we could do to lower our debt. Think what we could do to provide for better education, better health care research, dealing with Zika with the CDC, paving roads, providing services, protecting our national security, helping our veterans. Think what we could do with \$326 billion of wasted money. And this is just a fraction.

The public understands. We expose this information to them. Do we then blame the public for being furious with the dysfunction that exists in Washington, DC? I think they are going to go to the polls in November and express how they feel.

Mr. President, with that, I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

Ms. HIRONO. Aloha, Mr. President.

REMEMBERING MARK TAKAI

Mr. President, I rise in memory of our friend and our colleague, Congressman Mark Takai. In June, Mark passed away after a courageous fight with pancreatic cancer. He leaves behind a legacy as a champion swimmer, a National Guard officer, and a public servant. Most importantly, Mark was a family man and friend to many.

Over the years, I have affectionately called Mark my younger brother. Mark was elected to the Hawaii State legislature in 1994, the same year I won my race to be our State's Lieutenant Governor. I came to count on Mark as one of my closest allies throughout my time in State government and here in Congress. I will continue to be a champion for the causes he believed in, particularly the fight to keep the promises we made to our Nation's veterans.

Mark always remembered personal details and would go the extra mile to give back to others. Knowing how much we all missed food from home, he hosted potlucks for his staff and others in the delegation. They often included one of my favorites—his mother Naomi's famous beef stew. Whenever his mother made a batch of her famous stew, Mark, always thoughtful, made sure he saved some for me. In return, when I made Portuguese bean soup and Korean kimchi, he got some too.

Mark embodied the aloha spirit of kindness and generosity and would bring a bit of Hawaii wherever he went. Last year, Mark and I traveled with dozens of our colleagues from both the House and Senate to Selma, AL, for a march commemorating the 50th anniversary of "Bloody Sunday," the civil rights march led by the Reverend Dr. Martin Luther King, Jr.

When Dr. King marched from Selma to Montgomery in 1965, he and other march leaders wore a white carnation lei from Reverend Abraham Akaka, the brother of Senator Daniel Akaka. Dr. King and Reverend Akaka had met and become friends the year before, and Reverend Akaka sent the lei from Hawaii to Alabama to stand in peace and solidarity with the civil rights marchers.

Mark decided to replicate that gesture of harmony and unity by giving a lei from Hawaii to all our colleagues from the House and Senate who joined in the commemorative march. He enlisted me in this goal. Over 100 lei were ordered and shipped to us in Selma. But there was a glitch. The lei were to arrive by plane and by truck, but arrive they did not. In fact, Mark and I had absolutely no idea where the boxes and boxes of lei were in transit from the west coast to where we were.

At that point, frustrated, I looked at Mark and said: You are the National Guard guy. You know logistics. I am trusting you to get this done. Mark was on the phone day and night. We have pictures of him with his phone practically glued to his ear. Others later recounted that they wondered what he was doing with this phone for 2 days while all kinds of other commemorative march events were occurring.

Well, all of Mark's work paid off, and the lei were delivered safely. That Saturday we presented a white carnation lei to civil rights leader JOHN LEWIS. They were just like the ones that Reverend King and the other leaders had worn 50 years before. Together, we marched across the Edmund Pettus Bridge with our first African-American President, Hawaii's keiki o ka aina, President Obama.

As we celebrate Mark's life in the Capitol today, I recall his memorial services that took place in Honolulu last month. As we finished singing "Over the Rainbow" at the State Capitol rotunda in Honolulu—we were outside—the sun suddenly broke through and shown brightly on a large photo of

Mark placed at the service. Mark was literally glowing. The photo was taken just after he was elected to the U.S. House, and you could see in his smile how joyful and happy he was. Later that day, during our services, a rainbow appeared over Pearl City, his hometown that he represented for decades in the State legislature. These are what we call in Hawaii "chicken skin moments"—moments where Mark's presence was very much felt.

Mark, you will be missed, but we will carry on your fight for what we believe is right, while treating each other with kindness and always aloha.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DONNELLY. 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. DONNELLY. Mr. President, today we are debating the water resources development bill that contains crucial provisions to improve and rebuild some of our locks, dams, ports, and flood control systems across the United States. It also authorizes valuable habitat restoration programs like the Great Lakes Restoration Initiative. Those are all incredibly important issues and are worthy of our investment. Today, however, I wish to discuss an issue that is far too often overlooked by those of us in Congress: wastewater infrastructure.

Today when we talk about infrastructure, it translates into the critical structures we see every day—roads, bridges, locks, dams, airports. What is too often neglected in this conversation, however, is water infrastructure, which is just as critical to keeping our communities clean and livable and attracting investment and growth.

We all want clean water, particularly our local communities that are committed to working toward that goal. Unfortunately, too many of our cities and towns are in a situation where the Federal Government is demanding significant investments to prevent wastewater runoffs, while providing virtually no support to help meet those mandated goals.

I believe we should have high standards for our wastewater infrastructure, but those federally mandated standards should be achievable and met with a commitment to help make the necessary investments to protect the health and safety of our communities.

The truth is, unless we get serious about investing in all American infrastructure, including wastewater, we are hurting the very communities these regulations were initially intended to help.

This water resources bill includes some responses to the difficulties our communities are facing in preventing sewer overflows. We have established a

technical assistance program for small and medium treatment waterworks, and our communities will now have more opportunities to develop integrated plans for dealing with multiple clean water requirements and have greater certainty when working with EPA to develop financially responsible investments in wastewater control systems. The bill also reauthorizes a grant program for cities that are addressing their combined sewer overflow, sanitary sewer overflows, and storm water discharge responsibilities.

The bill only authorizes, however, \$250 million for wastewater grants all of next year. That is a sizeable investment but not nearly adequate to help communities respond to the financial challenges they are facing. To put that \$250 million in perspective, local governments reported spending an average of approximately \$320 million per day—per day—on water and wastewater services and infrastructure in 2013. That means this bill will authorize grants for an entire year at an amount that is only 75 percent of what local governments spend in 1 day.

In my hometown of South Bend, IN, the city may need to spend up to \$1 billion to address its obligations to eliminate sewer overflows. The solution may include deep rock tunneling, with tunnels so deep they might as well build a subway system while they are down there and with a price tag so high, the required investments break down to \$10,000 per resident—in a town with a per capita income of \$19,000 per resident a year. It is not just one town, though; Fort Wayne, Indianapolis, Evansville, Richmond, and others—these Hoosier communities are forced into consent decrees and are required to make significant investments with essentially no help from Congress, which made the rules in the first place.

I know we are operating in a time of budget constraints, but wastewater infrastructure investment is a problem. It is a problem Congress has failed to adequately address for far too long. That is why I have introduced an amendment that doubles the authorized funding for grants to local communities to respond to wastewater challenges. Even that is a modest investment, but we need to work together to find a way to do more.

I know that Chairman INHOFE—a former mayor of Tulsa—understands the challenges facing our cities, and local communities across the country are experiencing the same difficulties funding these improvements. Senator BOXER is such a tireless advocate on behalf of the communities in her home State, and I know she is interested in being as helpful as possible as well.

This bill makes improvements for our communities, and I appreciate that, but I am eagerly looking forward to finding ways to do more.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCAIN. 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. MCCAIN. Mr. President, I ask unanimous consent that the Senate be in a period of debate only until 2:25 p.m.

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

Mr. MCCAIN. Mr. President, I ask unanimous consent to address the Senate as in morning business.

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

#### FOREIGN POLICY

Mr. MCCAIN. Mr. President, events that are taking place in Syria and in the Middle East in general but in Syria and around the world show an incredibly dangerous deterioration of American national security, of our standing in the world, and can have consequences that are far-reaching and very damaging to the United States of America.

Yesterday the Washington Post—not known as a rightwing conservative periodical—had an editorial entitled “Whether or not the Syrian cease-fire sticks, Putin wins.” It begins by talking about the circumstances concerning what happened with this so-called agreement, which, according to the New York Times today, has been objected to by the Secretary of Defense and other members of his own administration. The Washington Post editorial says:

When Russia launched its direct military intervention in Syria a year ago, President Obama predicted its only result would be a quagmire. Instead, the agreement struck by Secretary of State John F. Kerry on Friday with his Russian counterpart offers Mr. Putin everything he sought. The Assad regime, which was tottering a year ago, will be entrenched and its opposition dealt a powerful blow. The United States will meanwhile grant Mr. Putin’s long-standing demand that it join with Russia in targeting groups deemed to be terrorists.

I might add that when the Russians came in, the first people they attacked were the moderate people whom we trained, armed, and equipped, slaughtering them.

If serious political negotiations on Syria’s future ever take place—an unlikely prospect, at least in the Obama administration’s remaining months—the Assad regime and its Russian and Iranian backers will hold a commanding position.

In exchange for these sweeping concessions, which essentially abandon Mr. Obama’s onetime goal of freeing Syria from Mr. Assad and make the United States a junior partner of Russia in the Middle East’s most important ongoing conflict, Mr. Kerry promises that humanitarian lifelines will be opened into the besieged city of Aleppo and other areas subjected to surrender-or-starve tactics. The Syrian air force will supposedly be banned from dropping “barrel bombs,” chlorine and other munitions on many areas where rebels are based—though there seem to be loopholes in the deal, and its text has not been made public.

I might add that the text has not been made available to the Congress of the United States or the American people.

It goes on to say:

If that really happens, and lives are saved, that will be a positive benefit. Perhaps it’s the only one available to a U.S. policy that swears off, as doomed to failure, the same limited military measures that Russia has employed with success. But Mr. Putin and Mr. Assad have agreed to multiple previous truces, in Syria and, in Mr. Putin’s case, Ukraine—and violated all of them. Their reward has been to gain territory and strengthen their strategic positions, while receiving from the United States not sanction but more concessions and proposals for new deals. If the regimes observe their promises in this case, it may be because the time to exploit this U.S. administration—which has retreated from its red lines, allowed Russia to restore itself as a Middle East power and betrayed those Syrians who hoped to rid themselves of a blood-drenched dictator—is finally running out.

In other words, there may be a time when Vladimir Putin and Bashar Assad decide on an actual cease-fire, which has been violated time after time. After they have gained sufficient control, after they have driven any of the moderate forces out of the major regions of Syria—and for all intents and purposes, thanks to Hezbollah; the Iranian Revolutionary Guard; Russia; and more Iranian involvement by people like Qasem Soleimani, the head of the Iranian Revolutionary Guard; Hezbollah from Lebanon—they will have gained enough control over Syria that they will be satisfied with what they have and then will seek a cease-fire.

This is one of the most disgraceful chapters in American history. Look at the map of Syria and Iraq in the Middle East in 2009 when Barack Obama became President of the United States and look at a map today. When Barack Obama came to power in 2009, Al Qaeda was defeated. The situation was under complete control thanks to the sacrifice of an enormous amount of American blood and treasure.

When my colleagues and the liberal media and others criticize what happened in Iraq and what a colossal failure it was, maybe there is an argument about going in. There can be no intellectual honesty unless you mention the fact that we had it under control. Al Qaeda was defeated. The casualties were down. All we needed to do was keep a residual force there to maintain control. Instead, the President of the United States decides to take everybody out, and the rest is history. Al Qaeda moves to Syria, Al Qaeda becomes ISIS, and the rest is history.

Why is it that the liberal media and my friends on the other side of the aisle who continue to talk about how Iraq was such a disaster fail to mention that thanks to GEN David Petraeus and brave young Americans who sacrificed time after time, we had it won? And the reason given for pulling everybody out was that we couldn’t get a Status of Forces Agreement ratified by

the Iraqi Parliament. We now have 4,500 permanent and thousands who are rotating in and out. Where is the Status of Forces Agreement with the Iraqi Parliament? Wasn't that the reason given by these experienced and talented members of the President's National Security Council, experts on—I believe science fiction was one of them, and others who have never heard a shot fired in anger and have no experience in the military of any kind? They are the ones who said we can't stay because we haven't got the Status of Forces Agreement, so we pulled out, and Al Qaeda rotated to Syria and became ISIS and now we have a caliphate. We may be able to finally destroy them, although this is the classic of incrementalism—50 troops here, 20 troops there, 50 more here, a gradual escalation in targets. Still, I have been told one-third or maybe as many as half of our aircraft that went out and flew on a mission returned without having fired a weapon or having dropped a bomb, and everything is run from those experienced tacticians and leaders at the National Security Council.

Here we are now, after Hezbollah, the Iranian Revolutionary Guard, the Russians came in, and the President declared a “quagmire,” we now have a ceasefire that, according to our view and others, Putin wins. By the way, there is also a New York Times story that shows there are severe divisions within the administration as to whether this was a good idea.

I draw my colleague's attention to this morning's Wall Street Journal. Syria's Regime is pressing a systematic effort to alter the country's demographics and tighten Assad's grip on power, U.N. officials and opposition figures said.

How do they do that? They surround an area, starve them out, and barrel bomb them. Barrel bombs are horrible weapons, my friends. They barrel bomb them and kill a whole bunch of them and then they declare a ceasefire and let them leave and take over that particular area. One of the most brutal and inhumane types of warfare is being practiced by Bashar al-Assad as we speak.

There are a lot of things going on in the world, which apparently includes the dictator in the Philippines now saying he is going to buy Russian and Chinese equipment and throw Americans out of the Philippines. The Philippine leader, Duterte, is seeking arms from Russia and China, signaling a shift in its alliance with the United States. The Chinese continue their aggressive behavior in the South China Sea, and of course we are now seeing the other Middle Eastern countries deciding they have to go their own way because the United States of America cannot be relied on for assistance as the situation continues to deteriorate.

I ask my colleague and friend from South Carolina for his comments about the deteriorating situation and this

latest “agreement.” I don't know what number that agreement is, by the way, but it certainly isn't the first nor the second nor third that has been reached in the hopes that somehow—and each time greater and greater concessions are made to Bashar al-Assad and now acknowledgment of the Russians as our senior partner.

I just ask my colleague: Are we supposed to enter into some kind of alliance with Vladimir Putin in this conflict in Syria? Vladimir Putin dismembered Ukraine, bombed the people we armed, trained, and equipped when they first went into Syria—I don't know how many were slaughtered—put enormous pressures on the Baltic countries, and has occupied parts of Georgia. Does anybody on Earth believe our new partners will insist that Bashar al-Assad leave Syria?

Mr. GRAHAM. Mr. President, I want to associate myself with everything my friend said. Here is our dilemma. There are two forces inside of Syria that are a threat to us, the region, and the people in Syria—ISIL, al-Nusra, and the other radical Sunni groups are certainly a threat to the United States. Raqqa, which is the capital of the ISIL's caliphate, is in Syria. They planned the attacks in Paris and Europe out of Raqqa, and they communicate with sleeper cells throughout the world. Thousands of westerners have gone to Syria for training under ISIL's control. The bottom line is, it is in our interest to destroy this caliphate because the next 9/11-type attack is being planned in Syria. If you take the land away from ISIL, then you are doing a lot of damage to them, and they become a terrorist organization rather than a terrorist army. The plan to destroy ISIL is beyond ill-conceived.

I had dinner last night with the Turkish Ambassador. What is the ground force we are relying upon to go take Raqqa away from ISIL? You are clearly not going to win the war from the air. We have done a lot of damage, but the air campaign will not destroy the caliphate. Somebody has to go in on the ground and actually liberate Raqqa, take Mosul back, and all the other stuff.

Inside Syria, the main fighting force is a Kurdish force called the YPG. The Kurdish force inside Syria is the mortal enemy of Turkey. On two occasions, you have seen where Turkey used military force against the coalition we are training to destroy ISIL because in the eyes of Turkey, substituting ISIL for YPG Kurds is not a good trade.

Most Members of the body—I don't know if you are following this, but you should. The whole goal is not to destroy ISIL. It is to do as much damage to ISIL as possible and pass this problem on to the next President. For a couple of years, Senator McCain and I have made the argument that the liberating force—if it is made up of Kurds—is doomed to fail. The Arabs in the region are going to have a hard time turning over more of Syria to the YPG

Kurds, and it is a nonstarter for Turkey. This ceasefire is brought on by the fact that Aleppo is Hell on Earth.

The administration's goal was to destroy ISIL and replace Assad. Assad will be in power and Obama will be gone, and this failure of the Obama administration to act effectively has changed the balance of power. Four years ago, Senator McCain and I and others argued to help the Free Syrian Army while it was intact. The entire national security team of President Obama advised him to aggressively train the Free Syrian Army to take Assad out because he is a puppet of Iran. The one thing I can tell you is, no Arab country in the region is going to recognize Assad as the legitimate leader of Syria because his main benefactors are the Iranians, their mortal enemy.

Instead of helping the Free Syrian Army, President Obama blinked and took a pass. That vacuum was filled. Hezbollah sent in 5,000 fighters. They are also a puppet of Iran. Their Hezbollah militia, which is supported by the Iranians, came to Assad's aid as we backed off of helping the Free Syrian Army, and then Russia came in for Assad. So now the Russian President has been bombing forces trained by the American President, and we are not doing a damned thing about it.

All of the training we provided to the Free Syrian Army has been basically neutered by the fact that Russia and Iran are now firmly in Assad's camp. When we were trying to train Syrians to go take out ISIL, we also wanted them to take the fight to Assad. Obama's refusal to do anything about Assad has created a vacuum. Very few Syrians are going to go fight ISIL and not turn their attention to the “Butcher of Damascus,” the person who has killed 250,000 to 400,000 of their family.

This whole Syrian strategy is flawed. The ceasefire is an opportunity for Assad and Russia to retrench. Here is what will happen. We are going to have a ceasefire. Hopefully, some of the humanitarian aid will get to Aleppo, but as Senator McCain said, when it is all said and done, they are going to gobble up more territory. This idea of the United States partnering with Russia to go after the al-Nusra group, which has changed its name, to me, is very dangerous. Our military is very reluctant to share with the Russian military targeting and how we know where people are. Sharing information with the Russians is very dangerous to do in Syria because their goal is not to just destroy radical Islamic groups, their goal is to keep their puppet Assad in power.

This whole idea of a joint operation center, where the United States and Russia will focus their attention on al-Nusra elements, is doomed to fail because in the eyes of Assad, everybody who opposes him is a terrorist. All the people we are training to liberate Syria from Assad, in the eyes of Assad, are no different than ISIL. So to expect

Assad and Russia to limit their military activity to radical Islamic groups and not go after the opposition in general defies the past.

Russia has dropped more bombs on people we have trained than they have on ISIL. Russia has hit more targets aligned with opposition to Assad than they have al-Nusra targets. Why? Russia is using their military might to give Assad military superiority and at the same time helping on the margins with radical Islam.

The biggest mistake of all was to not help the Free Syrian Army when they were intact and allow Russia and Iran to fill this vacuum. I will say this to anybody on the other side who believes this strategy is going to result in Assad leaving, you are completely out to lunch. Why would Assad leave when he is winning? Why would Assad leave when Russia and Iran are firmly in his camp? Why would Assad leave when the Russians can bomb the people the Americans are training to take Assad out and America will do nothing about it?

This whole idea that there is some plan coming that will replace Assad is a complete fantasy. This ceasefire is not going to bring about the results we all would hope for, which is the destruction of ISIL and the removal of the "Butcher of Damascus," Assad, who is an enemy of the Syrian people, who helped send fighters into Iraq to kill American soldiers as we were trying to help Iraqis, who is a puppet of Iran and a proxy of Russia.

To the administration, most people are not paying any attention. You are literally getting away with national security malpractice because most people are not paying much attention, and there is a war over there involving people we can't relate to. All I can tell you is, you should be worried about what is going on in Syria because it will affect us here at home. We are about to give yet another Arab capital to the Iranians. This will be the fourth Arab capital that Iran has basically had to fight their control over, and that is not good for our interests because our Arab allies will be put in a spot one day where they will have to fight back.

If you want to create a bigger war in the Middle East, we are on track to do it. We are about to create a conflict for our Turkish allies and the people we are trying to liberate—Raqqa from ISIL inside of Syria. In the effort of destroying ISIL, we have created a nightmare for Turkey. In the effort of destroying ISIL, we are giving Assad a pass, which is nightmare for Jordan and Lebanon and all of our Arab allies.

In other words, in our effort to destroy ISIL, we are empowering Iran. In our effort to destroy ISIL, we are making Russia more effective in the Middle East than they have been since the early 1970s. In our effort to destroy ISIL, we have created an imbalance of power in the Middle East that will come back to haunt us. The bottom line is, Obama and his administration

wanted this nuclear deal with the Iranians so much that he would not challenge their proxy in Syria. They want cooperation with the Russians so much when it comes to Iran and other issues, they will not challenge Russian aggression inside Syria.

Here is what will come back to bite us all. In the future, nobody in the Middle East will rely upon us. Every Arab government I have talked to has asked: Where has America gone? Why should we join with you? You are an unreliable ally. The stain on our honor is very great. All those young Syrian men who were brought to the fight and trained to fight ISIL and get rid Assad, many of them have been killed by Assad and Russia and we haven't done a damned thing about it.

What are the consequences of this? It is going to be harder for people to work with us in the future, and it is going to be easier for our enemies to peel off people in the region. The vacuum we are creating today will grow over time.

I hope the next President, whomever he or she will be, will revisit our strategy in Syria because it is on a collision course.

Mr. MCCAIN. Mr. President, I ask unanimous consent for an additional 2 minutes.

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

Mr. MCCAIN. Mr. President, I wish to add to my colleague's assessment when he said that 400,000 people were killed.

Mr. GRAHAM. All with families.

Mr. MCCAIN. All with families—barrel bombs, poison gas. By the way, there has been a recurrence of poison gas. Six million people are now refugees and it is putting an enormous strain on Europe. We can look around the world and see where all of this weakness is reflected, whether it be in Syria or whether it be in Iran, which threatened two American surveillance planes as they flew over the Straits of Hormuz—Philippines leaders seeking arms from the Russians and the Chinese, Chinese continued aggression in the South China Sea, and the list goes on and on.

In summary, I agree with the editorial in the Washington Post yesterday: "Whether or not the Syrian ceasefire sticks, Putin wins."

This election is going to be a very important one.

I yield the floor.

The PRESIDING OFFICER (Mr. CRUZ). The Senator from West Virginia.

#### MINERS PROTECTION ACT

Mr. MANCHIN. Mr. President, I rise today to engage in a colloquy with my colleagues on a bipartisan bill that we have been working on, one of the most important pieces of legislation that we have before us today.

Basically, 16,000 retired miners and their widows are counting on this to be done. If we don't do it by the end of the year, 16,000 miners will lose their health care benefits at the end of this year. Another 3,500 miners will lose

their health care at the end of March of next year, and another 3,500 will lose it by July. So 23,000 miners' lives are at stake.

This is a piece of legislation that fulfills a commitment and a promise we made starting back in 1946, 1950, 1974, 1990, 1992, 1993, and 2006. So basically, we as a government, we as lawmakers here have understood the value of the coal that has been produced by the Coal Miners of America and the United Mine Workers and this is to fulfill the promise that we made back in 1946 for what they have done from the start of the century—in the early 1900s—providing energy in a very difficult and tough way and then, basically, being able to guarantee a pension and a retirement plan to keep this country moving forward. That is what this is about. If we don't fulfill this promise to the people who have given us the life we have and the superpower status and the freedoms we enjoy, then I would say God help us all.

I am joined by some of my colleagues who understand these people, understand how wonderful they are and the hard work they have provided—the mine workers all over this country. I wish to turn to my good friend from Ohio, Senator BROWN.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Mr. President, I thank the Senator from West Virginia, and I thank our colleague Senator CAPITO.

Last week I joined Senator MANCHIN, Senator CAPITO, and others to speak to hundreds of coal miners rallying on the lawn right outside the Capitol. It was an oppressively hot day, yet the heat and humidity seemed to bother them not at all. They are used to working in mines and working in some of the hardest and least safe conditions in this country.

One of the things that most impressed me at the beginning of this rally was when President Cecil Roberts, the president of the UMW, stood up and asked at the beginning of his remarks: How many of you are veterans? A huge number of miners put their hands up. He then asked about family members and World War II veterans. We think about these mine workers. Some stayed in the mines and continued to mine coal, to win our wars and to power our defense plants and to power our homes and our commercial establishments and everything else. So many of them went off to war. As if we don't owe them for the work they have done in the mines and the promises that Senator MANCHIN mentioned, we also owe so many of them for serving our country the way they did.

This is about retirement security. In my State alone, 6,800 Ohioans are covered and will be betrayed if we don't do our work, if the Senate doesn't do its job. If Congress fails to act, thousands of retired miners could lose their health care this year, and the pension plans could fail as early as 2017. This is retirement security that miners

worked for, security they fought for, security that many of them sacrificed their own health for.

One of the things that Senator MANCHIN and Senator CAPITO and I understand—and that, frankly, a whole lot of Senators don't—is that when unions bargain and sit down at the bargaining table, they often—almost always—give up raises today for retirement security in the future. We call these legacy costs. During the auto rescue, I heard a number of my colleagues complain about the legacy costs that afflicted, in their words, the United Auto Workers. It is the same thing here. These are workers who rather than take more pay now they said: We will forgo some of these raises, and we will put this money toward guaranteeing and ensuring our futures. So then they aren't wards of the State. They are not living off taxpayers. They are living off their own wealth that they created and invested so they would have health insurance and so they would have pensions when they retire. That is good for the country, not bad for the country. But a number of anti-union Members in this Senate—and I would say in the House, where Senator CAPITO and I used to serve—don't really understand that they have earned this health care and they have earned these retirement payments that have been promised to them. These workers have more than held up their end of the bargain.

I want to tell a couple of stories and then turn it over to Senator CAPITO. As do the two West Virginia Senators—they have more mine workers in their State than I do, but it is a major part of our State and a major part of the southeast quadrant of Ohio.

I have talked to some of these workers, Ohioans like Norm Skinner, Dave Dilly, and Babe Erdos. I first met Norm in March. I have known Babe Erdos for years.

I appreciate the work Senator WARNER has done. He is joining us now as well.

Norm is a veteran who started working as a miner for what became Peabody Coal 40 years ago. He worked 22 years. He retired in September of 1994. For every one of those years he earned and he contributed to his retiree health care plan and his pension plan. Sixty percent of his colleagues, he told me, at the mine have died of cancer because of the chemicals. Norm has been lucky. But after putting in decades in that mine, he is in danger of losing that health care that he worked for.

We know how to fix this. This block, if you will, seems to be down at the end of the hall in the majority leader's office. Because of the work of Senator CAPITO, Senator MANCHIN, Senator WARNER, and others, we would get a strong majority of Members of the Senate to pass this if we could get it up for a floor vote.

We must mark this bill up in the committee that Senator WARNER and I sit on—the Finance Committee. We

were supposed to vote this week. For whatever reason, it was pushed back to next week. Senator MANCHIN and I have talked about how we hope this isn't a slow walk to delay it through the end of the year. The Senate has not been in session much this year, and we are not doing the work we should.

This is absolutely mandatory. The Senate Finance Committee should move on it next week. Senator CASEY is on that committee. He is also supporting it. It is time we do it.

I thank Senator MANCHIN, Senator CAPITO, and Senator WARNER for their work on such an important issue for our country.

Mr. MANCHIN. I thank Senator BROWN.

At this time I wish to call on my colleague, Senator CAPITO.

The PRESIDING OFFICER. The Senator from West Virginia.

Mrs. CAPITO. Mr. President, I wish to thank my fellow Senator from the State of West Virginia for his lead on this, and I am happy to be his primary cosponsor. I wish to thank Senator BROWN as well. He brings a lot of passion. I got to follow him the other day at the rally. He is a hard act to follow. Senator WARNER, certainly your State of Virginia and the southwest portion right there—you are lucky enough to be really close to West Virginia—are going to feel a lot of this.

I think Senator BROWN really stated it when he spoke about the rally that we saw last week. It was a very hot day. There were thousands of miners and families there, and we all went for the show of hands. Senator PORTMAN is here now. Let's have a show of hands from those from Ohio and from West Virginia. It was really spread throughout the eastern part of the country. It wasn't just one State or the other. Everyone that I shook hands with I asked: Is this personally affecting you? It was amazing to me that most of the people I talked to, it personally affected them. Many of them are retired. They are not spring chickens, as a lot of us are not. They were willing to weather a really long bus ride, a really hot day to stand arm in arm in brotherhood and sisterhood for something that we all believe in and on which we are approaching a critical deadline.

So as I said before, these are the workers who power our Nation and who work hard. My kids have gone to school with their grandchildren. We go to church with many of them. In a small State like ours, Senator MANCHIN and I certainly know many of the folks and the faces that we saw that day and the ones that are affected by this.

We can't leave them in the lurch. This is where we are. We hear the statistics—22,000. Some of the statistics are a little bit different, but they could be losing their health care here in the next three months. The pension plan that provides benefits to over 90,000 current retirees could become insolvent.

We have a fix. Senator PORTMAN and I have talked a lot about this because

we have those adjoining parts of our States that are very much affected, and we have worked hard to bring this fix and get it to the point where we think we are assured that the vote will come through the Finance Committee, on which Senator PORTMAN serves.

So I look forward to that. Even though it disappointingly was pushed back a week, we still are fighting the fight.

The war on coal in our State has resulted in thousands of lost jobs. Six of our counties are in a deep depression. We were at a local hearing in Morgantown where our State economist said that six of our counties are in a very severe depression. A lot of these counties are where a lot of these folks live. For these counties and communities across our State, the situation, if we don't do something, is going to get even worse.

This is not a partisan issue. We have Republicans and Democrats here. I would say it is more of a regional issue than a partisan issue. We are working with Chairman HATCH to get this bill marked up in the Finance Committee, and, hopefully, that will get us the next step that we need, which is the big step and which is to get it across the floor here in the halls of the Senate.

So with the hard-working men and women of Appalachia, with the leadership that Senator MANCHIN has shown on this, and with many of us here working together in the many different ways that we can affect the votes of our colleagues—somebody said to me: What is going to make the difference? You are on that side of the aisle where maybe there are a lot of folks that can't see why we should vote for this. What I would implore them to do is to look at the human faces of the people who are affected here. These are people, most of whom have worked hard their whole lives. Many of them have health issues—severe health issues. Many of them are living on limited resources. This really just kind of kicks the stool out from under their entire family.

So I join with everybody here today to make that real difference that we need to make, and we will keep the fight going here as we move through the next several weeks and months.

Thank you.

Mr. MANCHIN. Mr. President, I want to thank my colleague and friend. This has been a bipartisan piece of legislation, and we just need a little bit more help. I think we are going to get there.

Let me just paint the picture very quickly for everybody of what we are talking about—the energy for this young country in the early 1900s. The energy was needed to build the country. Then we had the industrial revolution, if you will. Then we had World War I, and then we had World War II and we needed the domestic energy in order to defend ourselves. From 1900 to 1946, these were people who were down in the mines. They would work hard, and they would provide the resources

we needed to win the wars, to build the industrial revolution, and to build the middle class. They got no pensions, no benefits.

Here is one personal story. In 1927, there was a young man who had four children, and his wife was expecting her fifth. It was Christmastime 1927. Have you ever heard the words of the song: "Sixteen tons, what do you get, another day older and deeper in debt." Tennessee Ford wrote that song. "I owe my soul to the company store." That was the fact. That was the absolute truth. From the paycheck at the end of the week, there was nothing left. They owed their soul to the company store. There was no money to take care of their family, no pension, no retirement plan, no health care as far as giving you the health care that you and your family would need to stay healthy.

This is what happened. A person—a young man in 1927—was talking to other people saying: We have to do something. We can't continue to carry on like this. We can't live this way. We can't take care of our family and ourselves. We are not getting ahead at all. That night, Christmas Eve, he was thrown out of his house. All of his furniture was thrown into the middle of the road—everything. Four kids and an expectant mother were thrown out.

That person's name was Joe Manchin, Sr. When you think about the commitment they made to our country, and the effort—that was my grandfather. You think about what they were willing to do, and they sacrificed everything for this country. We did not get a piece of legislation until 1946. Harry S. Truman—President Harry S. Truman signed an agreement, the Krug-Lewis agreement, because it was so important after the war to keep the economy going.

Without the miners that were providing the product, the coal that fired this Nation, we would not be a superpower today. We would not. People forget that. I think it sets the stage of who we are and what we are fighting for. This is a commitment we owe. This is a responsibility that we have.

I thank all of my colleagues who are here, all of my colleagues who are supporting this. We have 46 Democrats supporting this, and we have a minimum of 8, possibly more, of our Republican friends who are supporting it also. We need a few more. That is what we were asking for. We think we will be able to get that help and get that commitment for the markup. I wish it would have been done this week. It wasn't.

With that, I want to recognize my good friend from Virginia, the former Governor. We served together.

He worked in the coal fields. We have met many times in the coal fields. A coal miner is usually a veteran. These are the greatest people, the most patriotic people that you have ever met. They mine the coal that made the steel that built the country we have today. They give their blood, sweat, tears, and hard work.

With that, I want to turn it over to my good friend from Virginia who knows these people all so well, Senator WARNER.

Mr. WARNER. Mr. President, I want to start by echoing what Senator BROWN and Senator CAPITO and others have said and thank my friend from West Virginia for continuing to wage this fight. It feels a little bit like déjà vu all over again. We have been down here time and time and time again to simply reinforce the case that the Senator from West Virginia just went through in terms of history.

I think it is sometimes interesting that—I'm sure that the Senator from West Virginia did it earlier than I, but it was the early 1990s, the first time I went underground to see the working conditions of miners across this country. Even though the advances in technology in the 20th century and 21st century still endure, it is hard work. It is gritty work. Many of the miners who have spent years working underground come out with black lung and other illnesses. Their life expectancy is much shorter than so many other jobs.

The Senator from West Virginia has already gone through at some length the historic commitment to these miners. It started with President Truman. It was renewed a number of times, Democrats and Republicans alike.

Through this past year—again because of the Senator from West Virginia and those of us who tried to help—his State has the most, probably Kentucky has the second most, and Virginia has about 10,000 folks who are affected. We did finally force—and I want to thank the chairman and ranking member of the Finance Committee, Senator HATCH and Senator WYDEN. We did have a hearing. Families came in. All they said to us was: Keep your promise. The United States of America said: We are going to honor this commitment to make sure that your pension benefits and your health care benefits are honored.

The remarkable thing here—and many folks, including myself, are greatly concerned about our debt and deficit. So how are we going to pay for this? We have even identified a source of funding that is industry generated. So any of the typical "well, maybe not now" or "what if" or "how did this happen"—all of those issues have been addressed.

The Finance Committee held a hearing on the Miners Protection Act. Miners from Southwest Virginia came in, a couple of folks from Grundy, a couple of folks from Wise, which is very close to the State of West Virginia, close to Ohio—folks whose lives were going to be dramatically affected if these health care benefits and pension benefits are taken away.

Disproportionately, as the Senator from West Virginia has repeatedly said, the vast majority of those individuals, candidly, are not former miners, but they are the widows. So many folks have passed that the widows now de-

pend upon these benefits in many ways. They are still the lifeblood of the communities that have been hard hit by the changing nature of power generation, by government regulation, by a host of other things.

Last week, on that incredibly warm day, my good friend the Senator from Ohio and I were there, speaking to miners from all across the region and others who were supportive of the cause. The question I got as I walked through the crowd was: Are you guys going to keep your word? It was not Democrat, Republican—not particulars of the bill.

Are you going to keep your word that this country made to the coal miners and their beneficiaries that their pension and health care benefits are going to be honored?

So we are going to be tested on this, at least in terms of the next step. As a member of the Finance Committee, my hope and expectations have been—and my friend, the Senator from Ohio, a member of the Finance Committee, and in this case we have the support of the chairman and the ranking member—that we would mark up this legislation, that we would not add all kinds of extraneous other things that would take us off course or take us down into some other briar patch but that we would honor this commitment on the UMW health and pension benefits.

Well, as things often happen here, it got delayed. But I for one don't believe, even if we get our CR done and get Zika done, that the Finance Committee should leave town without having this markup. That commitment was made earlier in the year. I went through a whole group of folks, not just from Virginia, but from West Virginia, Ohio, Pennsylvania and Kentucky and said: Yes, I believe we are going to at least get the next step done and get this bill marked up out of the Finance Committee. And then it should be not just reported out of the Finance Committee but actually acted on here on the floor of the Senate.

We have all come and gone through the facts and the details on the variety of times that we have spoken about this issue on the floor. My appeal to my friends the chair and ranking member of the Finance Committee is that this date of September 21 does not slip again. I know in that committee markup we will have the votes. We need to get that bill reported out. We need to get it acted on before the end of the year because, as the Senator from West Virginia has so relentlessly continued to make the point, this is not something that we can kick the can on anymore. People start losing these benefits that their lives depend on at the end of calendar year 2016.

So I say to my friend from West Virginia and my friend the Senator from Ohio that we are in this together. It is bipartisan. There are not enough bipartisan things that are done here. I thank my friend from West Virginia for being relentless on this issue. I thank my friend the Senator from Ohio—sometimes it is an issue that looks as if it

is stacking up more on one side than the other—for his leadership on this as well.

I tell you, I think we owe it to those miners and families who depend upon these benefits to keep our word, keep the word we told them we were going to keep back when we held the hearing, keep the word that all of us said to the miners and others who rallied last week in the middle of that heat. If we do our job next Wednesday, we will be able to keep our word, bring this bill to the floor, and get it passed.

So with that, I thank the Senator from West Virginia.

Mr. MANCHIN. Mr. President, I appreciate so much the Senator's support. He knows the miners so well because we joined—his Southwest Virginia miners and my West Virginia miners work very well together. With that being said, we are very proud of our neighbors and friends from Ohio. Senator PORTMAN has been here, and he knows the mine workers of the Southeast, where most of them have congregated and where they really mine the coal, along with Southwest Virginia. We are very proud of that.

So we appreciate Senator PORTMAN's being part of this colloquy.

Mr. PORTMAN. Well, first, I want to thank my colleague from West Virginia for holding this colloquy today. I enjoyed listening to Senator CAPITO, his colleague from West Virginia, talk about it, and I know Senator BROWN was here. Senator WARNER, from Virginia, was out there at the rally just before me. I get to follow him again.

What I said the other day when we were at the rally was that this is not a partisan issue. This is one where you have Republicans and Democrats coming together to identify a real problem: 100,000 miners having their pensions endangered and 20,000 miners potentially losing their health care at the end of this year.

That is a really urgent problem for them. He did a good job today of talking about some of these issues. I loved when Senator MANCHIN talked about the fact that this country was built on an energy economy that included coal. I will tell you, we have mined 4 billion tons of coal in Ohio. We are still a State and a country that depends on coal for our electricity. In Ohio, it is about 58 percent of us who turn on a light when we go home and get our electricity from coal.

So it is incredibly important for our economy and has built this country, in effect. It has given us in Ohio the ability, frankly, to attract a lot of industry because we have had relatively low energy prices, stable energy prices.

This is about telling these miners who for years and years have been doing the hard work, playing by the rules, doing exactly what they are supposed to do that we are not going to let them down. That is all this is about. It is just not fair to pull the plug after all of those years.

As was noted earlier, having talked to a lot of these miners, some of them

are in poor health. Part of the reason they are in poor health is that they were in the coal mines for many years. There are higher rates of cancer, for instance, among some of these miners. There are a lot of widows because some of the spouses have moved on.

This is about keeping true to our commitment and our promise. I do think that we are going to have this committee vote a week from today. I am told it was pushed back from today to a week from today because the Congressional Budget Office had not done the score yet of what this costs.

OK. That is fine. But let's be darn sure that we do not leave town to go back in October without addressing this issue. That is something I am going to insist on, as will my other colleagues that I have heard from today. I got a commitment on this. I got a commitment from the leadership, from the chairman, who I know is good to his commitments. We ought to be darn sure that we do the right thing for these miners. We had a hearing on it. We had people come forward and talk about the specifics of it.

I will tell you, I know some people have differences of opinion on the fiscal impact of this. As a person who is a fiscal conservative and proud of that, I will tell you the alternative to this is that these plans could potentially go insolvent and the PBGC, the Pension Benefit Guaranty Corporation, which is the government program that backs all these up, would then be in deep trouble because this is the second biggest multiemployer plan that could be in trouble. That could result in taxpayers having to pick up the tab in a much more significant way.

The actuaries have looked at our plan. They believe this will enable us to get through this period of time where we have a tough issue with so many companies going bankrupt. The Senator from West Virginia, Mr. MANCHIN, and I have talked about the underlying problem here, which is that there are a lot of people who are trying to do away with coal.

The so-called war on coal is leading to some of these bankruptcies of these companies and some of these pension problems. That is part of the issue, too. So the Federal Government also has played a role here. We need to recognize that as well.

I am going to thank my colleagues for coming to the floor today. I want to say that we look forward to the opportunity to debate and discuss this issue in committee a week from today to get a strong vote. Let's make it a strong bipartisan vote. Let's be sure that it comes to this floor with that kind of support and goes over to the House, and we can get something done to help those people who worked hard and played by the rules and deserve now for us in the Congress to look after them.

I thank my colleague.

I yield back.

Mr. MANCHIN. I thank my friend from Ohio, Senator PORTMAN. Let me

just say in wrapping up that there has been concern and there is talk about—you know, we are concerned about the United Mine Workers, which are all union miners, and nonunion miners. I am concerned about all miners, but the agreement, if you think back to 1946, was about anybody and everybody who worked in the mines and belonged to the United Mine Workers of America. That is the agreement that was made to stop a strike from happening, to basically get people back to work and keep the country moving forward. We ratified that again. We ratified it in 1974, 1990, 1992, 1993, and 2006. It has the handstamp of basically the President of the United States. I am saying that if we can't keep that commitment, if we will not fulfill that promise—and people think everybody is basically saying: Well, we are going to subsidize this. It is a Federal Government guarantee. It was a guarantee that the coal that was mined—that the mine operators would pay into the pension plan. Then, through bankruptcy court, that evaporated.

Mr. President, I ask unanimous consent that I be allowed 1 additional minute to finish.

Mr. ENZI. It has already exceeded the time it was supposed to go.

Mr. MANCHIN. I ask unanimous consent that I have 1 additional minute to wrap up.

Mr. ENZI. Go ahead.

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

Mr. MANCHIN. Thank you, my friend.

With that being said, you can see it is bipartisan. We are asking for that. We have had a commitment. We have been gone for 9 weeks. The only thing we are asking for—before we leave on the 21st, this has to be brought out of the Finance Committee. That is what we are asking for; that is what was promised. I hope that all of my colleagues will fulfill that promise that was made to all of us and to the 16,000—to the 102,000 miners who have been depending on this.

With that, thank you all. I appreciate it very much. I hope this body will rise to the occasion to take care of the people they made the promise to, the United Mine Workers of America.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I am going to return the discussion to the legislation that is actually on the floor at the moment, and that is the Water Resources Development Act. It is a necessary update for Corps projects and for water quality systems, and I applaud the chairman and the ranking member for working in a bipartisan manner to ensure its passage. However, the amendment's inclusion of direct spending for Flint and other public drinking water supply systems doesn't comply with the Budget Committee's rules of enforcement. It would provide \$100 million in drinking water State revolving funds, it would provide \$70 million in water infrastructure loans, and

it would provide an additional \$100 million for lead exposure programs. The Flint provisions will also result in \$53 million in revenue loss from increased utilization of tax-exempt bonds to finance water infrastructure projects.

The sponsors have sought to offset this new spending by prohibiting new loans after 2020 under the Advanced Technology Vehicles Manufacturing—ATVM—Program. This program was originally created in 2008 and was designated as an emergency. When Congress determines that an expenditure is an emergency, we make a conscious decision to spend above the limits of the budget. We tell the American taxpayer that these dollars are necessary to respond to sudden and unforeseen circumstances. In the case of the ATVM, Senators argued that the emergency designation was necessary to respond to the precipitous drop in auto sales caused by the 2008 credit crisis and subsequent recession.

Because advanced technology vehicles manufacturing dollars were originally provided under an emergency designation, budget rules will not allow the cancellation of future ATVM funds to be used as an offset. Phrased simply, if ATVM money didn't count going out, it cannot count coming in.

What we are talking about is dollars that might go out after 2020. In our budget process, we are going to have to refrain from trying to spend future money in the present. It just won't work.

The Government Accountability Office has recommended that Congress rescind all or part of the remaining credit subsidy due to the lack of demand for new ATVM loans, and Congress ought to do that. The remaining dollars in the ATVM Program should not be spent. That was a 2008 crisis, not a 2016 crisis and definitely not a 2020 crisis. But to use the emergency ATVM money 8 years later to increase unrelated spending represents a failure of Congress to act as good stewards of taxpayer money and is not compliant with our budget rules.

Congress must use restraint when designating expenditures as emergencies. If we don't, future lawmakers will simply designate everything as an emergency to escape the budget limits and then, years down the road, reprogram the funds for an entirely different nonemergency purpose. The Senate must be judicious with its use of emergency-designated funds or risk diluting the meaningfulness of the designation altogether.

The CBO has estimated that under Senate scoring rules, the substitute amendment increases the on-budget deficit by \$299 million over the 2016–2026 period. As such, it exceeds the 2017 enforceable Senate pay-as-you-go levels.

I do have a motion that I will be making at the appropriate time, but in order for other discussion to happen, I reserve the remainder of my time and I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, first, let me say that I agree with my friend from Wyoming that we must not allow bills to move forward that are not fully paid for, but this is not the case for the substitute. What we are talking about right now is the Inhofe-Boxer substitute, which would become S. 2848. But let me be clear. The substitute, S. 2848, does not add to the debt or the deficit, which CBO has verified.

The issue with this point of order involves a disagreement between the Senate Budget Committee rules and the CBO as it relates to the ATVM spending offset used. While CBO gives us credit for rescinding it, the Budget Committee does not.

The fact is that when we reported this bill out of committee in April, CBO verified that the rescission of spending authority for the Advanced Technology Vehicles Manufacturing Program generates \$300 million in real savings to the U.S. Treasury. In this substitute, we are taking those funds from a program that many believe is wasteful and unnecessary and we redirect the funds toward a crisis across the Nation that involves failing and outdated critical infrastructure, which we address in this bill.

Another issue is that the Budget Committee is concerned that the substitute is not budget neutral over 5 years based on how ATVM loan authority is rescinded. However, over a 10-year budget window, CBO says we actually reduce the deficit.

The Budget Committee does not want to count the rescission of an unnecessary ATVM program as real money because of how it was authorized, but the fact remains that it is real money and will be used to offset other spending if not used now—or at some other time—for this urgent and real need.

After the 90-to-1 cloture vote yesterday to end debate on this bill and a voice vote to adopt this fully paid for substitute, I urge Members to waive this budget point of order, which I will make at the appropriate time.

I yield the floor.

Mr. ENZI. Mr. President, parliamentary request: Is this the proper time for me to make the motion? Has everyone finished with debating?

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I would mention that the Congressional Budget Office has prepared a revised cost estimate for the committee-reported S. 2848, and I have a copy of the letter here, which says that CBO estimates that the net changes in outlays and revenues that are subject to pay-as-you-go procedures would increase budget deficits by \$294 million over the 2016–2026 period. As such, the pending measure, substitute amendment No. 4979, would violate the Senate pay-go rule and increase the on-budget deficit over the period of fiscal years 2016–2026. Therefore, I raise a point of order

against this measure pursuant to section 201(a) of S. Con. Res. 21, the concurrent resolution on the budget for fiscal year 2008.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, pursuant to section 904 of the Congressional Budget Act of 1974 and the waiver provisions of applicable budget resolutions, I move to waive all applicable sections of that act and applicable budget resolutions for purposes of amendment No. 4979, as amended, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

Mrs. BOXER. Mr. President, I yield back all time from our side.

The PRESIDING OFFICER. All time is yielded back.

The question is on agreeing to the motion.

The yeas and nays have been ordered.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from New Hampshire (Ms. AYOTTE) and the Senator from Illinois (Mr. KIRK).

Further, if present and voting, the Senator from New Hampshire (Ms. AYOTTE) would have voted “yea.”

Mr. DURBIN. I announce that the Senator from Virginia (Mr. KAINE) is necessarily absent.

I further announce that, if present and voting, the Senator from Virginia (Mr. KAINE) would vote “yea.”

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

The yeas and nays resulted—yeas 85, nays 12, as follows:

[Rollcall Vote No. 139 Leg.]

#### YEAS—85

|            |            |            |
|------------|------------|------------|
| Alexander  | Franken    | Nelson     |
| Baldwin    | Gardner    | Paul       |
| Bennet     | Gillibrand | Peters     |
| Blumenthal | Graham     | Portman    |
| Blunt      | Grassley   | Reed       |
| Booker     | Hatch      | Reid       |
| Boozman    | Heinrich   | Risch      |
| Boxer      | Heitkamp   | Roberts    |
| Brown      | Heller     | Rounds     |
| Burr       | Hirono     | Rubio      |
| Cantwell   | Hoeven     | Sanders    |
| Capito     | Inhofe     | Schatz     |
| Cardin     | Johnson    | Schumer    |
| Carper     | King       | Shaheen    |
| Casey      | Klobuchar  | Shelby     |
| Cassidy    | Lankford   | Stabenow   |
| Cochran    | Leahy      | Sullivan   |
| Collins    | Manchin    | Tester     |
| Coons      | Markey     | Thune      |
| Cornyn     | McCain     | Toomey     |
| Cotton     | McCaskill  | Udall      |
| Crapo      | McConnell  | Vitter     |
| Cruz       | Menendez   | Warner     |
| Daines     | Merkley    | Warren     |
| Donnelly   | Mikulski   | Whitehouse |
| Durbin     | Moran      | Wicker     |
| Ernst      | Murkowski  | Wyden      |
| Feinstein  | Murphy     |            |
| Fischer    | Murray     |            |

#### NAYS—12

|          |        |         |
|----------|--------|---------|
| Barrasso | Corker | Flake   |
| Coats    | Enzi   | Isakson |

Lee Sasse Sessions  
Perdue Scott Tillis

## NOT VOTING—3

Ayotte Kaine Kirk

The PRESIDING OFFICER. On this vote, the yeas are 85, the nays are 12.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to and the point of order falls.

## VOTE ON AMENDMENT NO. 4979, AS AMENDED

The PRESIDING OFFICER. The question occurs on amendment No. 4979, as amended, offered by the Senator from Kentucky, Mr. McCONNELL, for the Senator from Oklahoma, Mr. INHOFE.

Is there further debate?

Hearing none, the question is on agreeing to the amendment, as amended.

The amendment (No. 4979), as amended, was agreed to.

## CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on Calendar No. 523, S. 2848, a bill to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

Mitch McConnell, James M. Inhofe, John Cornyn, Orrin G. Hatch, Shelley Moore Capito, Thom Tillis, Dan Sullivan, Mike Rounds, Marco Rubio, Cory Gardner, Dean Heller, Pat Roberts, David Vitter, Roy Blunt, John Barrasso, Roger F. Wicker, Steve Daines.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on Calendar No. 523, S. 2848, a bill to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from New Hampshire (Ms. AYOTTE) and the Senator from Illinois (Mr. KIRK).

Further, if present and voting, the Senator from New Hampshire (Ms. AYOTTE) would have voted "yea."

Mr. DURBIN. I announce that the Senator from Virginia (Mr. KAINE) is necessarily absent.

I further announce that, if present and voting, the Senator from Virginia (Mr. KAINE) would vote "yea."

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

The yeas and nays resulted—yeas 94, nays 3, as follows:

[Rollcall Vote No. 140 Leg.]

## YEAS—94

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

## NAYS—3

Flake Lee Sasse

## NOT VOTING—3

Ayotte Kaine Kirk

The PRESIDING OFFICER. On this vote, the yeas are 94, the nays are 3.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

The Senator from Montana.

Mr. DAINES. Mr. President, I ask unanimous consent to enter into a colloquy with my freshmen colleagues.

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

## DEFENSE APPROPRIATIONS

Mr. DAINES. Mr. President, just yesterday I joined a colloquy with my freshmen Republican Members on the importance of our national security, the importance of our troops, the importance of the threats that are currently facing our Nation. I was honored to be on the floor with my fellow freshmen Members, including Senators ROUNDS, CAPITO, SULLIVAN, LANKFORD, and GARDNER. Today, Senators ERNST and PERDUE will also join us.

I wish to take this opportunity to talk about the Republican freshmen class and describe who we are. We were all elected just about 2 years ago, in the fall of 2014. While each one does much more than these brief descriptions, I thought it might be important to share this: Senator JONI ERNST from Iowa is a retired lieutenant colonel in the Army National Guard, where Iowa, of course, is home to Camp Dodge National Guard Base. Senator ERNST was the first woman to serve in the U.S. Senate as well as see combat. Senator DAN SULLIVAN of Alaska, lieutenant colonel, U.S. Marine Corps Reserve. Senator SULLIVAN is a marine. My dad is also a marine. Of course, Alaska is home to Joint Base Elmendorf-Richardson.

Senator MIKE ROUNDS, the former Governor of South Dakota. He is a great businessman, and he resides in South Dakota, which is also the home of Ellsworth Air Force Base.

Senator CORY GARDNER of Colorado serves on the Foreign Relations Committee. I served with CORY in the U.S. House. Of course, Colorado is proudly home to the U.S. Air Force Academy as well as NORTHCOM and NORAD.

Senator DAVID PERDUE of Georgia. Senator PERDUE has over 40 years of business experience, including being a CEO. Of course, Georgia is home to many military operations but is the home of Fort Benning as well.

Senator SHELLEY CAPITO of West Virginia, the first woman ever elected to the U.S. Senate from West Virginia. I also served with SHELLEY in the U.S. House. West Virginia is proudly the home of McLaughlin Air National Guard Base.

Then, Senator JAMES LANKFORD of Oklahoma. Again, I served with JAMES in the House. Oklahoma is the home of Tinker Air Force Base and many others. Senator LANKFORD is on the Homeland Security and Governmental Affairs Committee, as well as serving on the Appropriations Committee with me, and we will talk more about that in a moment.

We are all new to the Senate, and I can tell you we are scratching our heads trying to understand why this institution is not funding the Department of Defense. Here are the facts: The Department of Defense appropriations passed the U.S. House of Representatives in June on a bipartisan vote of 282 to 138. Forty-eight Democrats were part of that vote in the affirmative. I sit on the Appropriations Committee of the U.S. Senate. We passed the Defense appropriations bill out of the Appropriations Committee on May 26. There are 16 Republicans and 14 Democrats on that committee, for a total of 30, and it passed 30 to 0. It was a shutout. Not one member on either side of the aisle opposed funding the Defense appropriations bill.

I ask my colleagues, what has changed? The other side has filibustered our troops a total of six times in the last year and a half.

Senator CAPITO raised a very good and simple question yesterday: Why? This past Friday, I visited Malmstrom Air Force Base in Great Falls, MT, home of 4,000 airmen in my home State, and I thought the same thing. Here we are having a 9/11 remembrance ceremony there in the beautiful chapel on Malmstrom Air Force Base. Here we are in the middle of Malmstrom Air Force Base that protects us and has responsibilities for 147 intercontinental ballistic missiles. Why can't my colleagues on the other side of the aisle vote to support the troops who keep us safe?

I can tell my colleagues one thing for certain. The world is a very dangerous place, and the defense of our country

relies on properly and promptly funding the Department of Defense. Usually, the Defense appropriations is one of the easiest appropriations to get passed. It is the layup, if you will, that this body can do. I can tell my colleagues one thing. Our enemies aren't waiting around for Democrats to drop their political games. Why can't they support a bill that was voted out of committee unanimously on a bipartisan basis? Why can't they work with us to pass this very important bill that would provide the necessary funding for our military? What has changed?

I think I might have figured it out, and it is not a good answer. It is about political credit. The other side does not want to fund our military because they don't want the Republicans to take credit for funding our troops. That can't be, can it? I hope this body, the U.S. Senate—the great deliberative body of Congress—has not become a place where we hold up a noncontroversial bill that funds our troops because one side is playing politics.

I am very honored to have Senator JONI ERNST of Iowa join me. Senator ERNST is a great American. Senator ERNST is an officer, retired from the U.S. military; the first woman who has served in both the U.S. Senate and has been in combat.

It is an honor to stand with Senator ERNST on behalf of our troops, and I am looking forward to her comments.

Mrs. ERNST. Mr. President, I thank the Senator very much. It is an honor to join my freshmen colleagues on the floor of the U.S. Senate to talk about our failing national security strategy.

This past weekend, we all bowed our heads in remembrance of the nearly 3,000 brave souls we lost on September 11, 2001. The response to those horrific attacks was not as our Islamic extremist enemies had hoped. America did not falter. We bonded together and we fought back. We fought back.

The response to 9/11 was a comprehensive one, with an object as clear as its name—the global war on terror. From places like Sub-Saharan Africa, Afghanistan, and the Philippines, U.S. troops operating under Operation Enduring Freedom showed those responsible for 9/11 the true power of the United States of America. From combat operations in Somalia to advising missions in South America, there has long been a global and a comprehensive strategy to our response to 9/11. There was American leadership.

Today, the administration has dismantled that global strategy. There is no leadership. Their failure to develop a strategy in 2011 for the troop withdrawal in Iraq and their continued fight for lower troop numbers in Afghanistan, those are just a couple of examples that are the tip of the iceberg.

One of the most alarming things in this administration—one of the most alarming things they have done is not only ignore threats but also fuel those threats, just as they did with the Iran

nuclear deal. The nuclear deal that this administration brokered with Iran is putting taxpayer dollars into the pockets of the largest State sponsor of terrorism.

Let's look at some of the recent headlines that are centered on Iran.

CNN: "Iran continues to seek illicit nuclear technology." That is from CNN.

Reuters: "Iran test-fired ballistic missiles," which is against international law.

The Wall Street Journal: "Iran begins construction on second nuclear power plant."

The New York Times: "Russia sends bombers to Syria using base in Iran."

And how about this alarming headline from the Wall Street Journal: "The U.S. sent another \$1.3 billion to Iran after hostages were released."

Yet we continue to allow this. We are allowing this.

Just last weekend, Iran threatened to shoot down our Navy aircraft in the region. These are our men and women, and Iran is threatening to shoot them down. What is next, folks? These actions will only continue because this administration yields to their demands. From the start, I have spoken out against this deal with Iran, which not only threatens our safety but the safety of our ally Israel. It threatens us here at home as well.

As we remembered the victims of 9/11 this past weekend, I was reminded of Iran's link to Al Qaeda, the ones who carried out that horrific attack on our homeland 15 years ago. In 2011, the Treasury Department officially accused Iran. This is our Treasury Department. They accused Iran, as the Wall Street Journal report put it, "of forging an alliance with Al Qaeda in a pact that allows the terrorist group to use Iranian soil as a transit point for moving money, arms, and fighters to its bases in Pakistan and Afghanistan."

It is astounding that despite all of this, we continue to broker a deal with Iran. Before more of these dangerous acts continue, we should scrap this ill-advised deal and hold Iran accountable for all of their actions.

I say to Senator DAINES, I am very, very proud that my Republican colleagues are joining me here on the floor today to recognize that our country needs leadership. We need leadership. I look forward to the thoughts from my friend on the Armed Services Committee, the Senator from South Dakota.

Mr. DAINES. I say thank you to Senator ERNST. As I listened to Senator ERNST, I was struck by the fact that here to my right I have Lieutenant Colonel ERNST, who proudly served in the Iowa Army National Guard, and to my left I have Lieutenant Colonel DAN SULLIVAN, U.S. Marine Corps Reserve, the Senator from Alaska.

So it is really an honor to be here between veterans who are speaking on behalf of our veterans about what is

going on here in Washington and how broken it is. It is my honor now to introduce Senator MIKE ROUNDS. MIKE was the Governor of South Dakota. So he had the Guard reporting to him as the Governor. Montana and South Dakota share a fence line, as we say, Senator ROUNDS. So my good friend and my neighbor from South Dakota, Senator ROUNDS, thanks for joining us.

Mr. ROUNDS. First of all, let me just thank you for putting together this discussion today. Let me thank both the Senator from Alaska and the Senator from Iowa for their service to our country, although the Senator from Iowa is clearly too young to have retired already.

I did have the opportunity and the true privilege of serving as the Governor of South Dakota and of working with a number of members of the National Guard—in fact, not only Ellsworth Air Force Base in Rapid City, SD, but also the 114th Fighter Wing of the Air National Guard, out of Sioux Falls. Both have participated in the defense of our country time and again.

Today, let me just add a little bit of my thoughts in terms of what is going on here in the Senate today. I speak of it not in terms of partisan issues but rather as statements of fact and finding a way to identify them and finding ways in which we can actually take our system, make it better than what it is today, and try to discover what it is that makes this system down here so difficult to work through in times in which we should find solid support for such items as a Defense appropriations bill.

South Dakotans have heard me say time and again that the No. 1 responsibility of the Federal Government is the defense of our country. Unless that responsibility is fulfilled, our freedoms are in jeopardy. Yet, six times—six times—this body has been blocked by Senate Democrats from considering legislation to fund the Department of Defense. That is funding necessary for our troops to accomplish their missions.

It sounds partisan, but it is simply a fact. Democrats have made a conscious decision to block even debate of this appropriations bill on the floor of the Senate. Yet, as we noted yesterday during our colloquy yesterday, the Defense appropriations bill is not a partisan bill. In fact, it passed out of the Senate Appropriations Committee unanimously. There was not a single vote against it—Democrat and Republican alike sending it out, saying it is a good bill.

It is largely free of budget gimmicks, and it is in line with the budget that we agreed to last December. I have said since taking office that we must get back to what we call regular order when it comes to the budget process, by passing not only the Defense appropriations bill, but I think we should be passing all of the appropriations bills one by one—not as one single huge bill but as 12 separate appropriations bills

in which we get the opportunity, with a 60-vote agreement, to debate the merits of each bill separately on the floor.

Leader MCCONNELL, to his credit, set aside 12 separate weeks to bring those bills down in order to accomplish this. We have not gotten the job done. It is an important tool, I think. If we were to go through these 12 bills, it is the one way in which we can actually fine-tune part of the Federal budget.

But I guess there is another issue that should be discussed as well. Even if we did all 12 bills in the Senate—or in the House—we would be talking only about funding defense and nondefense discretionary funding—nothing about the mandatory payments that our Federal Government is expected to put together.

Right now, even if we pass all 12 bills, the only part of the budget that we talk about is \$1.15 trillion out of a \$4 trillion national budget on an annual basis. How do you fix a \$550 billion deficit if all you are going to talk about is 25 percent of the budget in the first place?

Yet what we are talking about is trying to balance that budget—half of which goes to defense—on the backs of the young men and women who stand up for our country. That is not right, yet, that is what sequestration does.

Now, all of my colleagues on the floor of the Senate today with me, in addition to many of the others—both Republican and Democrat—are united in an effort to try to attack this crisis. You see, here is the deal. The Congressional Budget Office has already projected that within 10 years, 99 percent of all of the Federal revenue coming in—gas tax money, personal income tax money, corporate income tax money—is going to go back out in two categories: interest on the Federal debt and mandatory payments on mandatory programs such as Medicare, Medicaid, and Social Security.

There will be nothing left for defense, nothing left for roads and bridges, nothing left for research, nothing left for education. That crisis, which occurs in 10 years, is not a crisis then; it is a crisis now. How do we address that if we can't even start with the one item that we all seem to agree on, and that is funding our troops? That is the reason why we are here today.

We need to start someplace. So as freshmen, we are down here to say enough is enough. We want to change the way that the Senate operates. We are prepared to stand down here and to tell everybody else that there is a better way to do it. Back in South Dakota, when you send off young men who are in the National Guard, you send them off and you wish them the best. You really mean it. Their moms and their dads are there. You tell them that you will do everything you can to see that they come home safe.

We have that same obligation here in the Senate. You see, I don't want our forces to go to war and have it be a fair fight. What I want is for our forces to

go to war with absolute certainty that they will crush whoever is in the way, that they will come in with the best strategic plan, that they will come in with the best intelligence, with the best equipment, and with all of the necessary supplies that they need.

They put their lives on the line. We should not be sitting here today trying to leverage—Republicans or Democrats—what we think is more important, rather than simply agreeing as Americans that this is the most important thing that we do. We defend our country. That is what we get sent here for in the first place. That is what we all committed to do.

Yet we find ourselves today in a position where, once again and for six times, our friends on the other side of the aisle have decided it is politically expedient to get other things done, that they are going to withhold what has been in the past a bipartisan agreement to fund our troops on a regular basis and in a timely fashion. This has to stop.

If we are going to talk about the bigger picture of fixing these budgets and talk about all of the other items that should be voted on every single year—not just the defense and nondefense discretionary items but the mandatory payments as well—we ought to at least start with something that we all agree on.

Either side, Republicans or Democrats, will say that they care about our troops. I believe them. But let's put that into action. Let's actually step forward before we leave on this break and make darn sure that our troops are taken care of and that it is no longer a partisan issue or being held as a chit to try to get something else done within the Senate.

With that, I appreciate the fact that the Senator put this together. Once again, thank you to our other Members who are members of the Armed Services Committee. I am very, very proud to be a part of this very, very special body, but it is time we got back to work and that we recognize that the crisis 10 years from now should be addressed now and not in 10 years.

Thank you for the opportunity to address this issue. I look forward to listening to my other colleagues today as well. Thank you.

Mr. DAINES. I say to Senator ROUNDS, thank you.

We have heard from a lieutenant colonel, Senator ERNST. We have heard from a former Governor, Senator ROUNDS.

I say to Senator ROUNDS, I could see the passion. This is not just in our head, it is in our heart. You looked in the eyes of the troops. You have wished them the very best as they deployed—going into harm's way to protect our freedoms in this country—as the Governor of South Dakota. I am honored to stand here today with you and to push this institution to fulfill its duty on behalf of our men and women who serve in the Armed Forces and are performing their duty.

Speaking of executive leadership, I am honored now to ask Senator PERDUE of Georgia to share his thoughts on this. Senator PERDUE served 40 years in the private sector, rising to the highest level in the corporate world, to CEO. He brings that business experience, that focus on results, that accountability that Washington, DC, so desperately needs.

Senator PERDUE has the Naval Submarine Base Kings Bay, one of the two submarine bases that support the sea leg of our nuclear triad. In Montana, we have the ICBMs, the land leg. Senator PERDUE has the sea leg, one of the three legs of that very important deterrent that we have, a nuclear deterrent.

I say to Senator PERDUE, thank you for joining us today.

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

Mr. PERDUE. I say to Senator DAINES, I am honored to be here with the other freshmen. I am humbled by the emotion that I have heard here in the last half hour. I am humbled to be a part of this freshman class. By the way, we all ran on this issue. We ran on the fact that government was not functioning, that it was dysfunctional. What we see today and why we are here on the floor of the Senate today is to talk about that dysfunction.

Let me just share a few highlights of what I have seen in the press in the last few weeks:

“Obama administration again underestimates Islamic State as Afghan affiliate grows into threat.”

“DC transit police officer charged with aiding ISIS.”

“ISIS increasingly using women and children to terrorize France.”

“Five US troops wounded in combat with ISIS in Afghanistan.”

“Vladimir Putin's rumblings raise new fears of Ukraine conflict.”

“Russia holds biggest military drill yet in Crimea.”

“Iran escalates high seas harassment of US Navy.”

“Iran threatens to destroy Israel with 100,000 missiles.”

“North Korea conducts fifth nuclear test, claims it has made warheads with ‘higher strike power.’”

“South Korea prepares for ‘worst case scenario’ with North Korea.”

These are just a few samples of headlines in the last few weeks alone. What we see right now going on in the Senate is gridlock—the gridlock that is creating the backlash that we are seeing in the Presidential race right now.

People back home know Washington is dysfunctional and that it is not working. But right now we have a situation where the Democrats are blocking these Defense appropriations. Yet again, the Senate has reentered this period of dysfunction. The world is more dangerous than it has been at any time in my lifetime.

I am a product of the nuclear age, the Cold War. I grew up in a military town, and at one point we had B-52s there. I

remember the Cuban missile crisis, where KC-135s, B-52s, and C-141s were flying out of there in support of the blockade over Cuba. Yet, today I believe the world is more dangerous than it has ever been.

Right now we face a global security crisis. I believe it is on several levels.

First, there is the rise of aggressiveness in Russia and China, partly caused by our own intransigence, by creating power vacuums around the world and encouraging misbehavior.

Second, right now I believe ISIS is a product of our own creation in many ways. The early removal of our troops from Iraq created a vacuum into which ISIS has grown. They needed territory to validate their caliphate, and they got that.

We now face nuclear proliferation in Iran and North Korea.

We have a cyber war going on today. I personally believe we have been invaded, which means that today we are at war with nation states around the world. Right now, two brigades are being stood up in my home State, in Augusta, GA, Fort Gordon. Two cyber warrior brigades are being stood up right now—2 of 31 brigades in our U.S. Army. I am proud of those people. They are going to stand up to this threat, but it is real.

Lastly, we have an arms race in space that nobody is talking about.

In my lifetime, I have never seen the symmetric threats and the asymmetric threats that we face in our country today. Ensuring the safety of our men and women in uniform—those who protect our freedom around the world—should never be open to political games, least of all now in the face of all these myriad threats, but obviously Senate Democrats in this body don't feel that way.

Since I came to the Senate, our colleagues across the aisle—many friends—have blocked funding for our military six times. Six times in my tenure here, Democratic Members of this body have put their partisan games before funding in support of our troops, and that is after the appropriations—as you just heard, 30 to 0—14 Democrats and 16 Republicans got together in a room, argued their differences, and came to a bipartisan agreement. Isn't that what we were sent here to do? That is what they did. They passed this bill in committee. There is no debate here; everybody in this body wants this bill. I just don't understand why they are now holding it hostage for other partisan political games they are playing right now.

One of only 6 reasons 13 Colonies came together in the first place was to provide for the national defense. Yet, some 200 years later, in the midst of a global security crisis, Congress can't even get that done. We can't fund our government and fund our military without drama. What message does this send to our men and women in uniform around the world? Can you imagine? They can't even depend on us here

in this body to fund the needs they have every day. This is a total breakdown in the system.

Democrats are endangering our men and women in uniform, and they are not doing their job. I am outraged by this. Georgians back home are outraged. People around the country are outraged by this. Is anyone surprised that less than 20 percent of Americans trust the Federal Government? I am not surprised at all.

As I have said before, Democrats claim they want to support our military. They tell us all their heart-wrenching stories. Some of them have children in uniform. They call for action, and yet they are the ones blocking this bill and blocking us from debating this on the floor of the Senate. I don't understand that.

At a time when we should be united in the face of global threats, the brinksmanship and gridlock permeating in this body are quite simply disgraceful.

America must lead again. It must lead in the world. I have traveled the world a lot, as the Presiding Officer has, in the last year and a half, and the No. 1 request I get from heads of state we talk with is America needs to lead again. They are not asking for us to be the police anymore; they just need us to lead to common solutions against these same threats that threaten their countries just as they threaten ours.

We have to lead again, but to do that, we have to have a strong foreign policy. To have a strong foreign policy, we have to have a strong defense. To have a strong defense, we have to have a strong economy. We know about the debt crisis. We can't fix our military without having a strong economy and solving this debt crisis.

One of the biggest complaints I hear when we are doing continuing resolutions—and that is what we do when we don't do our job, by the way—is that it really hurts the military's ability to plan and to train. They can't look forward, they are so worried about getting funding today. And I have seen those shortfalls around the world, as the Presiding Officer has. That is what it has come to.

My colleagues across the aisle believe their political gain in this Presidential election season is more important than our men and women in uniform and more important than protecting our country. This is not a partisan comment, this is fact.

I am an outsider of this process, and I have to tell you that I feel the same outrage the people back home feel. We can no longer take our security for granted, we can no longer take our military for granted, and we can no longer take our men and women in uniform for granted.

I firmly believe our Founders would be outraged by what is going on right now. Senator William Pew was the very first person in 1789 who stood in my seat right here. In the Senate room just down the hall, William Pew—iron-

ic as it is, a direct descendent of his was on my staff when I ran for this office. But I think that man would be absolutely apologetic about us not funding our military. Can you imagine somebody who put their life on the line back then looking at what we are doing right now, the nonsense we have going on?

The stakes are too high for this nonsense to continue. Democrats must drop this obstructionism. It is time for Washington to fund our military, pass the Defense appropriations bill, and move on to fund our government.

Senator DAINES, I can't thank you enough for arranging this colloquy today and for what we did yesterday.

I know Senator SULLIVAN is on the floor to speak. His leadership in this regard has been very encouraging to me as well.

Thank you.

I yield the floor.

Mr. DAINES. I say to Senator PERDUE, thank you. Your clear eyes in bringing that clear-headed perspective and 40 years of experience in the private sector are so badly needed here. I am grateful for your love for our country and your experience here and fighting on behalf of our veterans in Washington, DC.

The Senator mentioned that the world is more dangerous than it has ever been before. I was flying back home to Montana late Thursday night, flying Delta Air Lines through Minneapolis back to Great Falls, MT, to be at Malmstrom Air Force Base, with the airmen there, on Friday. We often have Wi-Fi on planes today. I was watching my Twitter feed, and I saw the reports of the 5.0 quake that was reported in North Korea because they had conducted their fifth test—their most powerful test yet of an atomic bomb.

Six weeks ago I was in Israel. We talked about Iran, spoke about nuclear threats and existential threats to the world. We spoke to the Israeli leadership, to Prime Minister Netanyahu and the Israeli intelligence, about the threat from Iran. We crawled in the terror tunnels that came out of Gaza that Hamas had built—Hamas largely funded by Iran. We stood on the northern border of Israel staring into Lebanon at 100,000-plus rockets from Hezbollah pointed at Israel today that are primarily funded by Iran.

I agree with Senator PERDUE—the world is more dangerous today than it was on September 11, 2001, when you look at the threats and, as he pointed out, the cyber threats as well.

I am very privileged and honored to stand with Senator DAN SULLIVAN of Alaska. My father is a marine. He served with the 58th Rifle Company out of Billings, MT. To have a lieutenant colonel of the U.S. Marine Corps Reserve, Lieutenant Colonel SULLIVAN—Senator SULLIVAN, it is an honor to have you with us here today. Thank you for sharing your thoughts.

Mr. SULLIVAN. I say to Senator DAINES, I again thank you for your

leadership. All of my colleagues, the Presiding Officer, you, the other colleagues we have seen on the floor—your leadership has been outstanding, my good friend from Montana.

It begs the question. Why have we, the Republican freshman class—really for weeks, we have all been coming to the Senate floor to talk about what is happening. We have been coming to the Senate floor to counter the minority leader's decision to filibuster our troops, as Senator ROUNDS mentioned, six times. There is no other bill in the Senate, since we have become Senators, that the minority leader wants to focus on and filibuster than the bill that funds our troops. It is pretty remarkable. I think it is a disgrace.

So we are here because we want to bring attention to this issue. What is happening here? Sometimes it can be confusing.

We have the press that sits above the Presiding Officer's chair, and they watch what is going on. We want them to report this. We want the American people to know what is happening here because it doesn't matter where you are from, what State you are in, what party you are affiliated with in terms of politics, if you knew your Senator from your State was filibustering the spending that supports our troops when they are in combat all around the world right now, you would probably be very disappointed. You would think it was a story the press would want to write about, but they haven't yet, but we are trying because it is a very important issue. I believe the American people really care about this issue. That is why we are here.

I will tell you another reason why we are on the floor, why we have spent hours and weeks coming to this floor and talking about this issue, because there is someone else who cares about this issue—the men and women in the U.S. military. They really care about this issue.

I know there is this kind of sense in the Senate—when these votes are taken late at night and there are filibusters and procedural issues, I think a lot of my colleagues think that the troops don't know what is going on, that somehow they don't know the minority leader of the Senate and his colleagues have filibustered the funding for their mission and their welfare and their training six times in the last year and a half. But the troops do know that. They know it. They read about it. I guarantee you they are concerned about it. I think in some ways they think it is demoralizing, as Senator PERDUE mentioned. It doesn't give the military leadership the chance to plan long term.

Another reason we are on the floor—you know it—is we need to let our troops know we have their back. There might be somebody in this body who thinks filibustering spending for our troops six times is a policy they can be supportive of. Again, I don't know why the minority leader is doing this. I cer-

tainly don't know why my colleagues on the other side are blindly following him. But we need to be on the floor to let the troops know, when they watch this, when they hear about this and it confuses them, that we have their back. We don't think this is appropriate.

Yesterday when a number of us were on the floor, we talked about what we are asking—what the President, the Secretary of Defense, and our generals are asking our men and women in uniform to do. They are all over the world keeping us safe—in Iraq, in Syria, in the South China Sea, in Europe. Many of the initiatives undertaken by the President in terms of our troops in these places—many of us are supportive of them, but this is a lot that they are responsible for. They are doing so much. You come back to this body, what is this body doing? Filibustering spending for our troops. They are certainly doing their job; it is time the minority leader let us do our job to fund them.

Recently, of all the different things they are supposed to be doing, we learned about something new that they might be doing. In a deal recently negotiated by Secretary Kerry, the men and women in the U.S. military might possibly soon be conducting joint airstrikes and sharing intelligence with the Russians. There was a New York Times article today that makes it clear that our military leaders are very, very skeptical of this deal. So it is another thing we might be asking them to do—share intelligence and conduct joint operations with a country we shouldn't be trusting, particularly in terms of military terms.

I will quote from the New York Times today. The result of this deal potentially—and by the way, the State Department has not yet allowed us to see the terms of it. We haven't been able to see it. It kind of sounds like that other deal Secretary Kerry negotiated, the Iran nuclear deal.

This is from the New York Times:

The result is that at a time when the United States and Russia are at their most combative posture since the end of the Cold War, the American military is suddenly being told that it may, in a week, have to start sharing intelligence with one of its biggest adversaries to jointly target Islamic State and Nusra Front forces in Syria.

This is from Gen. Philip Breedlove, the recent NATO Commander, who is very well-respected and who just stepped down.

I remain skeptical about anything to do with the Russians. There are a lot of concerns about putting us out there with this kind of agreement.

So that is again what we might be asking our military to do soon, yet we are not going to fund them.

The Washington Post today, in an editorial about this deal—titled “Either way, Putin wins”—made it clear this is a deal that is not in our interest. Yet that is what our military might be asked to do. But we will not

fund them, and the minority leader continues to filibuster.

Mr. President, one of the things we have been asking of our colleagues on the other side of the aisle is to come down here and explain why they are doing this—why, for weeks—six times in a year, year and a half. Why?

To the credit of the Senator from Illinois, yesterday he actually did come down. Senator DURBIN did. He kind of had to because we made a unanimous consent request to move this funding forward, so somebody actually had to come down and say no and do a little explaining. But at least he did. For those who saw it, the explanation fell way short. It was kind of DC mumbo jumbo, process bureaucratese. It was not convincing at all—at all. So it would be good if they could come down and explain it a little better than the Senator from Illinois did. But at least he gave it a shot.

Here is what we know. We need to fund our troops now. They are working so hard for us. It is the right thing to do. The American people want it, our troops need it, and it is our solemn responsibility and our duty in the Senate.

I thank Senator DAINES again for his leadership on this. This is a critically important issue, regardless of whether the media picks it up. We are going to continue to highlight it because it is an outrage that the No. 1 bill filibustered by the minority leader for the last year and a half in the Senate is the bill to fund our troops. It is an outrage.

I thank my colleague again for his leadership.

Mr. DAINES. I thank Senator SULLIVAN. I am not sure whether to call him Senator SULLIVAN or United States Marine Corps Lieutenant Colonel SULLIVAN, but his humility as a soldier, as someone who served in the United States Marine Corps leads me to brag about him. He is bringing the voice of the troops, as he is one—a reservist—to the floor of the Senate. He is a voice for those whose voices are not being heard right now. We are making that clear today, and I thank him again for bringing that voice to the floor.

I also think about Senator SULLIVAN when he talks about Russia. It is one thing being a Montanan and speaking about Russia, but when you are an Alaskan speaking about Russia—well, Alaska is on the doorstep of a resurgent Russia. I know this threat is particularly meaningful to him as an Alaskan, and he is proud of the men and women from Alaska who serve regarding that threat.

I am now looking forward to hearing from Senator GARDNER. I think we are going to have Senator SULLIVAN preside over the Senate so Senator GARDNER can come and share his thoughts.

Senator GARDNER is a dear friend. He also resides in a Rocky Mountain State. He is from Colorado, and I am from Montana. We share a love of the West and our beautiful States. I have

been so impressed with Senator GARDNER's leadership as a freshman here in Washington, DC. We served together in the House, and then we came to the Senate. Senator GARDNER has been a leader on the threat of North Korea and helped to pass a bill with strong bipartisan support as a member of the Foreign Relations Committee.

I am grateful for his leadership and what he is doing for our country in coming to the floor today and speaking on behalf of our troops. I thank him.

(Mr. SULLIVAN assumed the Chair.)

Mr. GARDNER. I thank Senator DAINES for organizing this discussion again today, as he did the discussion we had yesterday. And I thank our colleague from Alaska for his leadership on this matter for a number of weeks as we have discussed why this funding bill for our troops, which pays our troops, gives our troops a pay raise, and is critical mission support, is being filibustered. Six times it has been blocked by a partisan minority that actually supported this measure out of the Committee on Appropriations unanimously.

I thank my colleague for bringing attention to this very important discussion as we end the fiscal year and continue providing the men and women in uniform with the resources they need to defend themselves, protect themselves, and defend this Nation's homeland.

This is incredibly important, not just for Colorado. Yes, Colorado is home to 49,000 Guard and Reserve members and uniformed military members. It is home to a number of defense installations across the front range of Colorado.

My colleague mentioned the important part of the triad that is in Montana. We also share a number of those ICBMs located in Eastern Colorado—a critical part of that triad, which is our deterrent, our efforts to make sure we have the ability to address threats to this Nation. The Senator from Montana mentioned the detonation of a nuclear weapon by Kim Jong Un. He wants nothing more than the ability to place a miniaturized warhead on top of a missile and use it against the United States. These are real threats. These are not made-up problems. These aren't just hypothetical issues. These are real threats.

We heard on the floor today from Lt. Col. DAN SULLIVAN, who has served this Nation in the armed forces; we heard from LTC JONI ERNST, who served this Nation; we heard from Governor ROUNDS, his unique perspective; and we have heard over the last couple of days and weeks from a number of people with a variety of backgrounds about the need to fund our troops and to pass this bill. We heard from a Governor who had called up members of the South Dakota National Guard and who has gone to ceremonies for National Guard members who are going overseas—Active Duty—and who has gone to funerals of people in South Dakota

whom they lost. So this is a very important debate we are having right now.

There seems to be a key question that is not being asked, and that key question stems from that 30-to-0 vote out of the Committee on Appropriations for this bill, with Republicans and Democrats alike voting for this bill. There were 30 people who voted for this bill. There was no one in opposition. Yet we cannot get this bill to the floor. There is a partisan obstruction, a tactic known as the filibuster, that is being employed against it to stop this from even being debated. We are not talking about being amended; it is not even being debated because they are afraid, for whatever reason, to bring this bill to the floor.

I guess the people of this country ought to be asking every Member of this Chamber—Members on the Democratic side of the aisle and Members on the Republican side of the aisle, anybody: Do you oppose this bill? It is a simple question that ought to be asked of every Member of this body: Do you oppose the Defense appropriations bill? Give the number of the bill.

The fact is, this bill passed 30 to 0 out of the Committee on Appropriations. When we asked for unanimous consent yesterday to move to the debate of the bill, we heard a glowing endorsement of the bill. We heard our colleagues on the other side of the aisle state how supportive they were of this legislation and the policies it contained. That is why they voted for the bill. So the question is, Do they oppose the bill? Let's get people in the Senate on record. Do they oppose the bill?

Right now, we know of no one who opposes the bill. So the next question ought to be: Why are you blocking it? If they do not oppose the bill—if people don't oppose the bill—then why are they blocking it? The answer clearly isn't policy because they support the policy. The answer isn't funding because they support the funding. The answer isn't that they oppose it because it funds the troops because they support funding the troops. So there must be another reason, right? Well, the reason is simply politics at its worst. The reason is a leadership decision to obstruct this bill—to obstruct the passage of legislation that would fund our troops.

Again, in the objection to our unanimous consent request to proceed to this bill, we heard from our colleagues on the other side of the aisle who are voting to obstruct the bill that, look, they agree with the bill. They agree with it. They agree with it. We just need different timing, we should wait until all the other bills are in place, or we should do it as one big package—basically ceding to this body that we should never do stand-alone appropriations bills, that we have to do everything as one big, massive chunk of omnibus appropriations or continuing resolutions.

You know, I don't think I could get away with this at home. If I told our

12-year-old daughter at home that she needs to take the trash out, and her response to me is: Look, I agree with you. I agree the trash should be taken out. I agree that trash can is too full. But then she doesn't do it. That is a problem. That doesn't tell me she agrees the trash can is too full. That tells me she agrees to ignore the wishes of her dad—in that case. And that is the same analogy that can be used here.

Mow the lawn. Our son is a little too young for that. If my wife told me to go out and mow the lawn, and I said: You know what, I agree. The grass is too long. It needs to be mowed. I agree with you. But if the lawn never gets mowed, all my neighbors in that whole town know the grass is too tall and that I didn't do my job.

That is the same thing that is happening in the Senate. People can say they agree all they want with the funding for this bill, but when they vote to obstruct it, when they vote to shoot it down, when they fail to vote to bring it up for debate, I guess the only way you can consider that is that it is in opposition to the efforts to fund our troops.

Filibustering the Defense appropriations bill endangers our military's ability to respond to the threats they face every day, and they face significant threats. Let's just take a look at Iran alone. We only need to look at the recent uptick in unsafe encounters that have been widely reported in newspapers around the country between American sailors in the Persian Gulf and the Iranian Guard vessels in the Persian Gulf to see what happens when our enemies sense weakness.

In 2016, there have been 31 unsafe encounters between the U.S. Navy and Iranian vessels in the Persian Gulf. In all of 2015—the entire year—there were only 25 unsafe encounters in the Persian Gulf. Yet this year, in August and September, we have seen 31, far outnumbering what we saw in the entirety of last year.

Less than 2 weeks ago, seven Iranian fast attack boats were involved in an unsafe encounter with the USS *Firebolt*, with one Iranian craft coming to a stop in front of the American ship. That provocative maneuver brought the Iranian boat within 100 yards of the *Firebolt*, a coastal patrol boat that carries a crew of about 30. This was unsafe, unprofessional, and could have led to a collision.

Less than 3 weeks ago, the USS *Squall* had to fire three warning shots. They fired three warning shots when an Iranian Guard vessel came within 200 yards of it. GEN Joseph Votel, the Commander of the United States Central Command, has said the attacks are “concerning,” and he went on to say that he believes the “unsafe, unprofessional” behavior is an attempt by Iran to “exert their influence and authority in the region.”

So while this administration is paying Iran billions of dollars—while they are giving that money, billions of dollars, to Iran, the same country that

held American sailors hostage and that is performing unsafe, provocative maneuvers in the Persian Gulf—this body, the Senate, as a result of a partisan minority, is holding the DOD appropriations bill hostage. They are denying critical funds to those American sailors at the same time we are giving money to the army, the navy of those who would hold our own sailors hostage. They are doing this through the money—the billions of dollars—being given to the Iranian regime.

Now remember, this bill isn't a partisan product. This bill is the result of extreme bipartisan collaboration—input from leaders of the Department of Defense, strategists, people who know what they are talking about, and people on the Committee on Armed Services, such as the Presiding Officer of the Senate who served in the Armed Forces. This is a product that had 30 people voting for it—Republicans and Democrats. It is a bipartisan product, yet it is being blocked every time we try to bring the bill up.

If the Presiding Officer were on the floor with us now, I would ask him if he thinks that is a rational reason he could explain to the men and women in his unit. Could he say: Look, the Senate has said they support the bill, but they refuse to pass the bill. Would they say: OK. I understand. I get that. That is not the reaction he would receive.

When we look at the needs of the commanders to have certainty in their funding, it is real. They need passage of this bill. We can't wait until the last minute and cobble it together, put it together with a bunch of other bills, fund it for a couple of weeks and then do it again and again and again in an uncertain manner.

Secretary James said a full-year continuing resolution could underfund the Air Force by nearly \$1.3 billion and would cause many issues to their systems.

Delaying the annual appropriations bill could limit our ability to take our fight to the enemies because the enemies are certainly taking their fight to us. Production of the Joint Direct Attack Munition—the JDAM—currently being used in the fight against ISIL would be cut in the short term under a continuing resolution. Upgrades could be cut to the fleets of the MQ-9 Reaper unmanned aircraft, C-130 cargo transports, and both B-52 and B-2 bombers. Yet that is what our colleagues on the other side of the aisle are insisting by blocking this bipartisan legislation.

So to my colleague from Montana and the Presiding Officer from Alaska, I thank them for continuing to shine a light on this.

I hope the American people will ask this question to all of us: Do you support this bill? If you do, why do you refuse to pass the bill?

It is a simple question, and it is a simple answer. Politics don't cut it. The American people deserve results.

So I thank the Senator from Montana for his leadership on this. It is an

honor to serve with him as we continue to highlight this failure of the Senate to move beyond petty partisan politics.

Mr. DAINES. I thank Senator GARDNER for those great thoughts.

This struck me: What if the Members of Congress were dependent upon the members of the U.S. military to vote on whether we got our paychecks or not? Maybe we ought to turn around the tables. Maybe we should halt paying this body until our troops get the assurance that they are going to get paid. Let's put the accountability right back on this institution.

I thank the Senator for standing up on behalf of the men and women who wear the uniform of the United States of America military.

I spent 28 years in business before I came to Capitol Hill. I spent one term in the House, and now this is my first term in the Senate. When I came here with my freshman class in January 2015, we came in here with our loved ones. Our friends and family were up in the Gallery, near where we stand here and sit here today. About 30 feet from where I am standing right here, we all stood on that step, and the Vice President, right there, administered an oath to us. We raised our right hand and took the oath. In that oath that I was honored to give that day after I was elected by the people of Montana, I swore and said: "I do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter: So help me God."

What has happened? We all took that same oath. It is time we started acting like it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. RUBIO. Mr. President, I ask unanimous consent that I be recognized to speak as in morning business.

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

#### AIR TRAVEL TO AND FROM CUBA

Mr. RUBIO. Mr. President, I wish to cover something that happened today. A revelation was just made a few hours ago at a hearing in the House. I will give the history of this.

As we all know, after the President's opening toward Cuba, there was increased travel to Cuba, now including the opening of commercial travel to the island from the United States.

Back in May, the Assistant Secretary for Policy at the Department of Homeland Security told the House Homeland Security Committee that new scheduled air service from the United States to Cuba, and vice versa, was not going to start until air marshals were allowed to be onboard those flights.

In August, the TSA provided the U.S.-Cuba Trade and Economic Council, as well as re-

porters, a statement . . . [and they said] that the United States and Cuba had "entered into an aviation security agreement that sets forth the legal framework for the deployment" of air marshals "on board certain flights to and from Cuba."

Today, at a hearing in the House, "a top TSA official divulged [for the first time] . . . that Cuba has yet to agree to allow U.S. air marshals aboard scheduled airline flights between the two countries—meaning there have been no air marshals on board thus far, despite" the fact that the administration said there would be. So, basically, what we have here is an outright lie.

Last month, to great fanfare, the Obama Administration announced that an agreement had been reached that there was going to be air marshals on commercial flights to and from Cuba, and today they confirmed that they weren't telling the truth. There was no agreement finalized. On most, if not all, of these flights there are no air marshals. This is endangering U.S. passengers.

This is a startling admission from the administration, and it is a startling admission by the TSA to the American people that they lied. They told us these flights would not begin until they had reached an agreement with the Cuban Government to have air marshals and other security measures in place. Today, only because they were asked—only because they were asked—did they admit that this is not happening.

It was incumbent upon the TSA to lock down a Federal air marshal agreement before these flights started taking off to begin with. That is what they told us they were going to do. That is what they said or implied was happening. Unless that question had been specifically asked today at that hearing, we would not have known about this.

My friends, this is the latest example of an administration that is so intent on burnishing its legacy, on getting credit for this opening, that they are willing to throw everything else out the window. They already are ignoring the human rights violations.

We have one of the leading human rights dissidents in Cuba on the verge of death because of a hunger strike, and this administration hasn't said a word about it. They don't do anything about it. They don't highlight that case. Instead, they are all celebrating and popping corks of champagne on these new flights, which they told us were going to be safe because they were going to have air marshals. Today, because they were specifically asked, we find out that it is not true. This is outrageous. The TSA under the Obama administration has lied to us about the status of the security.

Last week, I filed a bill that would stop all commercial flights to Cuba until this agreement is in place, until adequate security is in place. Now we know for a fact that adequate security is not in place. These flights should be

suspended until such time as this agreement is signed.

I want us to think about what this means if it doesn't happen—what it means is these are now flights that are vulnerable. There is a reason why we have air marshals on flights. It is because of the experience of 9/11, of which we just commemorated the anniversary on Sunday. We now have flights 90 miles from our shores that could theoretically be commandeered, and we could have a repeat of that, particularly in South Florida, which is just minutes away from the airport in Havana. This is just unacceptable.

Forget about how we feel about Cuba policy for a moment. They have lied to the American people. They have lied to this Congress, and they were only caught today because they were specifically asked about the status of this. This puts us in incredible danger.

By the way, it is important for everyone to remember that years ago there were no metal detectors even at airports. They started putting metal detectors at airports 30 years or 35 years ago because of hijackings to Cuba. There is a reason.

So now here we have this situation where theoretically some terrorist could travel from any country in the world into Cuba and then try to come into the United States, commandeer an aircraft, and I don't need to say what could happen next. I think this is an incredibly dangerous situation.

I think we need to unite across parties, across the aisle, and, basically, say: No matter how you feel about Cuba policy, we all agree that travel to Cuba should be safe—no less safe than travel to the Bahamas, no less safe than travel to the Dominican Republic, no less safe than travel to Mexico. Why are we allowing the Cuban Government to conduct flights without the same conditions we have on allies of the United States? Cuba is not an ally of the United States.

The Cuban Government hosts intelligence facilities for both the Chinese and the Russians. The Cuban Government harbors fugitives from American justice. The Cuban Government helped North Korea evade U.N. sanctions on missile technology and weapons. Yet we have allies in this hemisphere who have to comply with all of this, but not Cuba. This is absurd.

The TSA has lied. It leaves this Nation vulnerable. Those commercial flights need to be immediately suspended until such time as these security measures are put in place. This is something that just broke hours ago, and I hope we can come together here and actually deal with it, irrespective of how we may feel about the issue of Cuba.

#### ZIKA VIRUS FUNDING

Mr. President, the Governor of Florida was here yesterday and again today to discuss Zika funding. I met with him personally yesterday, and we met with the majority leader earlier today to reiterate again its importance.

Let me reiterate again the statistics. There are now, on the mainland of the United States, almost 3,000 cases. In combination with U.S. territories—meaning, primarily, the island of Puerto Rico—there are now close to 16,000 cases. In my home State of Florida alone, we are up to 799 cases, and 70 of those cases are locally transmitted, meaning that they were not Zika infections acquired abroad. They were either sexually transmitted or transmitted by a mosquito in the State of Florida. As to infections involving pregnant women in Florida, there are 86. That is combined, both travel and local transmission. It has taken this Congress far too long to act.

Now, I believe the good news is that, given the conversations that are still ongoing, we are on the verge of getting something done on the fight against Zika. I remind everyone that the Senate did act on this issue back in May in a bipartisan way, and I would take this moment to point out that my colleague, Senator NELSON from Florida, has been great to work with on this and multiple issues—but on this in particular. I thank him for his partnership and hard work in this regard. I enjoy our partnership on many issues involving the State of Florida, including the water bill before the Senate, but on this issue of Zika in particular. But it is time for the rest of us to come together in the interest of our people.

I know that right now all the headlines are about the impact this is having on Florida. But make no mistake, Zika is a national problem, and it requires a Federal response including funding to develop a vaccine that will eradicate this virus. So I do appreciate Governor Scott's efforts at the State level to combat Zika. It is long past time that this Congress follows suit.

This is, by the way, Governor Scott's second visit to Washington to address Zika. I am not aware of any other Governor who has come up here for the same purpose. But I can assure you that if we fail to seize the chance to pass funding, we are going to see more Governors and more Americans from every State and territory beating down the doors here in Washington fairly soon. As I said earlier, there are almost 20,000 Americans that have now been infected, and I think it would be a tragic and terrible mistake to ignore their plight. We have a chance here to help to prevent even more people from getting infected, but to do so we have to act now.

I want to point to one of the aspects of this issue that isn't talked about enough. We already understand the risk of microcephaly and what it means for unborn children. We understand the risk it poses to people in general. But I want to talk a little bit today about the economic impact of it. We can imagine that, as Zika outbreaks are being reported around the world and for the first time ever the CDC is actually designating areas of the continental United States as travel

advisory areas that perhaps people should avoid, it begins to have an economic impact. I also don't need to remind people—although, maybe I should—how important tourism is to the State of Florida. The evidence that this is having an impact on our economy is now far more than just anecdotal. I will quote extensively from an article in the Miami Herald a few days ago.

In August, leisure airfare prices fell 17 percent year-over-year at Miami International Airport and Fort Lauderdale-Hollywood International Airport, according to an analysis by Harrell Associates. Fares for top routes at the nation's other airports rose 4 percent over the same time period.

So other airports saw a 4-percent increase in fares, and leisure airfare fell by 17 percent. People may think that this is good news for the consumer. But this is reflective of something—that demand is down and that the number of people wanting to travel there is down. This is not travel in general, because across to other airports it was up 4 percent. But in two airports in South Florida, it was down by 17 percent. That is evidence that this is having an impact on travel, both business and leisure.

Here is more evidence: “And hotel bookings in greater downtown Miami fell by nearly 3 percent in the first three weeks of August compared to last year. . . .”

As someone raised by parents who worked in the tourism sector—primarily in hotels—if these numbers and trends continue, not only are these hotels going to get hurt, but the people working there are going to get hurt.

There is a reason why this is happening. I will go to a couple more business aspects that we would think would go beyond simple tourism, just so we know this is not just about hotels and airports.

There is a Bay Harbor Islands-based company that does wedding planning called Forever Events. The owners said that a couple from California spent several months planning a destination wedding in Miami and then cancelled it. Instead, they are getting married in California.

A nanny service that provides babysitting for families staying at hotels and resorts, often because they are in town to celebrate weddings, said the cancellations started coming as soon as the first travel-related cases were discovered in February. They said that families told them that because their wives were pregnant, they were too nervous to travel to Miami.

Business has plummeted by about 25 percent, she said, hurting her staff. Phones have gone quiet. . . . “We used to get calls every couple of weeks for a mom coming in town having her baby and now we haven't gotten any in months. . . . No calls at all.”

The rationale behind all this, perhaps, is a Kaiser Family Foundation poll conducted in August, which found that “48 percent of Americans would be uncomfortable traveling to Zika infection areas within the U.S., including Miami.”

So, again, this is not just something that is having an impact on our health care system, which is dramatic in and of itself, but it is having an economic impact as well, which is why it is so inexcusable that we didn't address this in April. We couldn't get final passage on this in May. I know the Senate did its part. It has gotten tangled up in all this election-year politics.

All I would say to my colleagues is, we fight about so many things around here. We have so many issues we could have a debate over. There are some significant differences between our political parties. In election years, they become more pronounced. Let's have debates about those issues, but at least when it comes to public health and safety, can't we say that on this issue, we are not going to play politics. Let's put this issue aside and let's not entangle it in all the political stuff that is going on because in the end, this does not discriminate. This is an issue that affects anyone and everyone, potentially.

That is what I hope is going to happen. We have taken far too long. Can you imagine going back at the end of next week or at the end of this month and explaining to people, not just in Florida but in America, that Congress once again couldn't get anything done on this?

I would ask both sides to show a tremendous amount of flexibility. I know there are ongoing conversations now behind the scenes to get some resolution on this. There are so many other issues we could have an argument over. On this one, let's just come together; let's provide the funding.

It is already less than what the President asked for, and I believe we will need more in the future. Let us come together, once and for all, and let's get this done in the Senate, and then let's work on encouraging our colleagues in the House to do the same so we have at least some good news to tell the American people at the end of this month. No. 1, your government didn't shut down; and, No. 2, Congress has finally provided funds, not just to help States and localities deal with Zika, not just to help health care facilities treat people with Zika, and not just to help people prevent Zika but to continue the research to develop a vaccine because once we have a vaccine, then I think this issue becomes very different. Then we have an answer with permanency to it. That is where I hope we are headed. That is why I encourage my colleagues to continue to work on it. Let's get this done once and for all. It is the right thing to do for America. It is the right thing to do for our people.

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

The PRESIDING OFFICER (Mr. LEE). Without objection, it is so ordered.

Mr. CARPER. Mr. President, today we have made important progress on a piece of legislation that we refer to with another one of those funny sounding names. In this case, it is WRDA. It is spelled W-R-D-A. That stands for the Water Resources Development Act.

The average American who might tune into C-SPAN today probably has no idea what it means when we use its nickname. Frankly, they are likely confused with a lot of the other strange acronyms we use in Washington as well, but the truth is, the things this WRDA bill will accomplish will have a big effect on the everyday lives of a lot of Americans. Many of them will be things that happen behind the scenes.

There are many important functions of the Federal Government that require years of planning and action by Congress. We as private citizens oftentimes sort of take them for granted. Hearing your local Senator or Member of Congress talk about critical dredging projects might sound boring, but if ships carrying groceries into our country's ports can't reach their destination, the prices continue to rise; in some cases, by a whole lot. That means families struggling to put food on their tables must figure out how to stretch their strained budget even further.

For the neediest among us, that ship reaching its port isn't just a policy decision made in our Nation's capital, it is the difference between a hungry child and a healthy one, but it takes a lot more work to keep our children healthy.

In April of 2014, news broke of a horrendous drinking water crisis in Flint, MI. Our networks and our newspapers were flooded with images of families holding up jugs of discolored water that came from their kitchen sinks and from their bathtubs. It was like we were watching a nightmare unfold overnight, but in reality it was years in the making.

For decades, cities across this country have struggled to fund proper maintenance of their drinking water infrastructure. In Flint, officials repeatedly cut corners, with little regard for public health concerns, in order to avoid investing in a high-quality water system. Let's think about this. Really, what is more important than an investment in making sure our kids aren't drinking water that slowly stunts the growth of their brains and the development of their brains?

Unfortunately, while the national spotlight has focused on Flint, aging water infrastructure is a growing problem faced by way too many of our communities across this country. This year, the Guardian newspaper found that over the past decade, water departments in at least 33 large cities have chosen to test their water with methods that would underestimate the lead levels in their drinking water—underestimate.

Philadelphia, which is half an hour up the road from my home State and

hometown of Wilmington, DE, has been accused of having some of the worst testing procedures of any city in the United States.

Congress banned lead water pipes some 30 years ago, but many of our pipes are older than that. In fact, we don't even know the full extent of the problem. Estimates of lead pipes still in use range from 3 to 10 million. That means some parts of our drinking water infrastructure are poisoning unsuspecting families across this Nation of ours.

We are doing good bipartisan work today by moving forward on authorizing programs that will begin to tackle not all but many of these issues, but in truth this is only the tip of the iceberg. The Environmental Protection Agency estimates it must spend nearly \$400 billion between now and 2030. Think about that, \$400 billion between now and 2030 in order to keep our drinking water safe. It is not only pipes that we have to maintain to ensure that our water supply is clean and that we have enough of it.

For example, the Delaware River Basin supplies drinking water for more than 15 million people. People don't just depend on this water for drinking. This river houses the catches our fishermen and fisherwomen depend on for their livelihood. This river serves as a shipping route to direct goods to and from our local businesses. It facilitates tourism that ripples through local economies up and down the eastern seaboard.

Today we have made important strides toward improving coordinated protection and restoration of the Delaware River Basin on which so many rely. With this legislation, we are also taking important steps to strengthen our coastal areas, which are the first line of defense against extreme weather and sea level rise.

For communities near the ocean in Delaware, a severe storm isn't just a day off from work or from school. It has the potential to wreak havoc on our cities and our towns, potentially destroying local businesses and causing irreparable damage to families' homes, as well as to our transportation infrastructure or water and wastewater treatment systems as well.

State and local governments that are already strapped for resources are then forced to scramble to help their residents rebuild. Instead of trying to patch the damage after every storm, maybe we ought to prepare ahead of time to make our coastlines more resilient. That will keep people safer and also save us a lot of money in the long term.

I learned this from my grandmother: An ounce of prevention is worth a pound of cure, and no place is this saying truer than with regard to maintaining our local critical infrastructure. Too often we in Congress neglect our responsibility to invest in the

things that make life possible and better. We shy away from reminding people that things worth having are worth paying for.

We weren't elected to take the easy way out. That isn't what we come here for. We were elected to make the tough choices required of leaders. I am proud of the bipartisan work that has been done today to help make sure parents can feel confident about the glass of water they will give their kids to drink at the supper table tomorrow or the week after that.

I am proud we are taking action to address some of the often ignored businesses of running a nation like ours. I hope my colleagues on both sides of the aisle will join me to continue this good work. Let's remind the American people that with a little determination, with a little more dedication, we can accomplish the responsibilities which they entrust to us.

Mr. President, I see we have been joined by a friend from Arkansas. I am going to yield the floor to him.

The PRESIDING OFFICER. The Senator from Arkansas.

#### NATIONAL SECURITY

Mr. BOOZMAN. Mr. President, while I was traveling around Arkansas during our instate work period, one of the top issues I heard about from my constituents was national security. It remains at the forefront of the minds of Arkansans. I am sure my colleagues heard the same thing during their time at home.

The message I received was one of concern—concern with how the administration's terrible Iran deal is flushing the regime with cash and allowing Tehran to continue its nuclear activities while rebuilding its arsenal and belligerently bullying the United States and our allies. They are concerned that North Korea is ramping up its nuclear program to try to get the same sweetheart deal, and they are concerned the threat from ISIS continues to grow despite the President's attempt to convince the public that radical Islamic terror is not a problem.

Let's start with Iran. Earlier this week, Iran threatened to shoot down two U.S. Navy surveillance aircraft for flying "too close to Iranian airspace." Yes, the country the Obama administration bent over backward to appease threatened us once again. This is the latest in a long line of provocations directed by Iran toward the United States.

Last month, Iran harassed our warships in the Persian Gulf on at least five occasions. Iran's belligerence has been matched by the nation's pursuit of weapons, all of which has been enabled by the terrible nuclear deal President Obama brokered—a deal Iran has zero intentions of abiding by.

Earlier this month, the regime in Tehran deployed a Russian-supplied surface-to-air-missile defense system around its Fordow underground uranium enrichment facility. This potent missile defense system was part of an

\$800 million deal Russia signed with Iran in 2007. That deal has been voluntarily put on hold because of a 2010 U.N. Security Council resolution, but that hold was lifted after President Obama's weak Iran deal signaled to Russia that it is acceptable to sell weapons to Iran.

This news is shocking given that President Obama said his deal halts enrichment at Fordow. If that is the case, why does Iran need this potent defense system to protect its scientific facility? Where did Iran get the money for this system? The Obama administration and its negotiating partners agreed in secret to allow Iran to evade some restrictions in the nuclear agreement. This reprieve was grand in order to give Iran more time to meet the deadline for it to start getting relief from economic sanctions. For all of these concessions, what exactly did the international community get out of the deal? Certainly not peace of mind. Meanwhile, Iran gets concession after concession to build a peaceful nuclear program that no one outside the White House believes will remain that way, but outside the White House walls, the rogue actors of the world have a different perspective. What they see is a meal ticket—a way to get out of sanctions without having to end the pursuit of nuclear weapons.

Case in point, North Korea. They have seen the windfall Iran has received for agreeing to the President's deal and appear to be angling for a windfall of their own, which is why North Korea defied U.N. resolutions and detonated its fifth and largest nuclear weapon last week. After carrying out the test, North Korea boasted that the warhead could be used to counter the American threat. Make no mistake, North Korea wants its own deal and will continue to try to provoke the United States.

Will President Obama cave in to North Korea's demands in the same manner in which he did with Iran? We certainly should not be granting sanctions relief to North Korea nor should we be doing so for Iran. In fact, we should be ratcheting up sanctions. We have passed legislation to do that for North Korea already. The chairman of the Foreign Relations Committee has a bill to make that happen for Iran as well. I am cosponsoring that bill and hope we can move it forward in the Senate.

While Iran and North Korea step up the posturing, ISIS just released a gruesome new propaganda video showing dozens of captured prisoners hung from meat hooks inside a Syrian slaughterhouse. The video then shows ISIS members slitting the throats of these prisoners. The brutality of these terrorists, which President Obama once referred to as the JV team, is shocking and revolting. The President has never presented a strategy to Congress for eliminating ISIS, and our sporadic airstrikes have done little to stop the terrorist group from pressing forward to strengthen its global reach.

As these events play out, Senate Democrats continue to block vital funding for our troops and our country's security and keep it from moving forward. This is why national security was the main concern I heard about during the instate work period and I continue to hear about now. The anxiety and unease created by this administration's failed foreign policy weighs heavy on the American people. We must change course.

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

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

#### NOMINATION OF MERRICK GARLAND

Mr. WARNER. Mr. President, after one of the longest recesses in modern history, Congress returned last week to Washington. Unfortunately, it seems that some of our colleagues have been more interested in continuing to play politics with the health and welfare of the American people than in getting the job done.

Nearly 19,000 Americans have been infected by the Zika virus, including hundreds of pregnant women. Yet Congress has failed to pass an emergency funding bill to address the Zika crisis, and as I discussed on the floor earlier this afternoon, thousands of retired mineworkers, many of them suffering from serious illnesses, are still waiting for us to work on the bipartisan Miners Protection Act.

This afternoon, I would like to focus on another area where unfortunately the Senate has failed to do its job—an important job that is part of our constitutional requirements—which is to make sure we end this unprecedented obstruction regarding the vacancy on the Supreme Court. It has now been a recordbreaking 182 days since President Obama nominated Judge Merrick Garland, and yet 182 days later, the Supreme Court is still forced to function one Justice short. It is an example of Washington dysfunction at its absolute worst.

The Senate confirmed Supreme Court Justices during Presidential election years at least 17 times, so there is no reason this should be a partisan issue. Until recently, both parties have recognized the Senate's constitutional responsibility to advise and consent on the President's nominations to the Supreme Court.

President Reagan himself said: "Every day that passes with a Supreme Court below full strength impairs the people's business in that crucially important body."

The truth is, Judge Garland's qualifications and dedication to public service are beyond reproach.

Again, today, as I did earlier this year, I am strongly urging my colleagues to do the job we were elected to

do. Let's go ahead and vote on Judge Garland. If you don't want to support him, that is your right, but let's give him that hearing and take on that vote.

Let's make sure we take on the very important health care crisis around Zika. Let's make sure we don't leave the American people hanging in terms of a continuing resolution. Let's pass that and make sure the government stays funded.

Again, it is time for us to get to work. It is time for the Senate to do its job so we can make sure that when we go back to our constituents—as we continue with the final weeks before the election—we can look them in the eye and say: We have done our duty.

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

The PRESIDING OFFICER (Mr. PERDUE. Without objection, it is so ordered.

#### OPIOID EPIDEMIC

Mr. MANCHIN. Mr. President, I have been coming every week and speaking about an epidemic we have across our country. The State of West Virginia has been hit hard. I know Utah has been hit hard. There has not been a State that has been spared. This opioid epidemic, this prescription drug abuse is ravaging our country and a whole generation of our people.

We have come to a crisis point. In West Virginia, drug overdose deaths have soared by more than 700 percent since 1988. We lost 600 West Virginians to opioids last year alone—600—more than any other cause of death in my State. Of the 628 drug overdose deaths in the State in 2014, most were linked to prescription drugs. These are legal drugs.

Now, 199 were oxycodone related, with 133 attributed to hydrocodone. We have a situation where basically people ask: How did we get to this point? We have products that are being made by reputable companies that we depend on for lifesaving medication every day. So you have a reputable company. We have the Food and Drug Administration, the FDA, which basically is our guardian, if you will. It is the gatekeeper of whether things we are consuming are good for us and will not be harmful. Then you have your doctor, the most trusted person next to a member of your family, telling you and prescribing what you should take to make you better.

So we have a runaway epidemic on our hands. We have to get this genie back into the bottle. West Virginia had the highest rate of prescription drug overdose deaths by any State last year—31 per 100,000 people—31 people out of 100,000 people died. The next closest State was New Mexico at 25

deaths per 100,000. In West Virginia, providers wrote—I want you to listen to this figure. It is almost unbelievable. In West Virginia, providers wrote 138 painkiller prescriptions for every 100 people. I want to repeat that. They wrote—that means our doctors—prescribed 138 prescriptions for every 100 people. Now, that is impossible. You would think that is absolutely abusive. It is.

Between 2007 and 2012, drug wholesalers shipped—this is an unbelievable amount—they shipped more than 200 million pain pills to West Virginia. The population of my State is 1,850,000, give or take. So with a little over 1,850,000 people, the drug wholesalers shipped 200 million pain pills to my State of West Virginia—40 million per year.

This number does not include shipments from the two largest drug wholesalers. Every day in our country, 51 Americans die from opioid abuse, legal prescription drugs. National drug abuse facts. Drug overdose was the leading cause of injury death in 2013. Among people 25 to 64 years old, drug overdoses caused more deaths than motor vehicle crashes.

There were 41,982 drug overdose deaths in the United States in 2013. Of these, 22,767 or 51.8 percent were related to prescription drug overdose. These are legal prescription drugs. Drug misuse and abuse caused about 2.5 million emergency room visits in 2011. Of these, more than 1.4 million of these emergency room visits were related to prescription drugs. Again, legal prescription drugs.

Among those emergency room visits, 420,000 visits related to opioid analgesics. Nearly 2 million Americans age 12 or older either abuse or were dependent upon opioids in 2013. Of the 2.8 million people who used an illicit drug for the first time in 2013, 20 percent began with a nonmedical use of a prescription drug—nonmedical—including pain relievers, tranquilizers, and stimulants.

The United States makes up only 4.6 percent of the world's population—4.6 percent. We are 330 million. Over 7 billion people live on Mother Earth. We make up less than 5 percent of the population. Yet we consume—the United States of America—80 percent of its opioids and 99 percent of the world's hydrocodone—99 percent of the world's hydrocodone.

Opioid abuse has jumped 287 percent in 11 years. In 2013, health care providers wrote 259 million prescriptions for painkillers, enough for every American to have a bottle of pills. Think about that—enough for every American to have a bottle of opioid pain pills. Misuse and abuse of prescription drugs cost the country an estimated \$53.4 billion per year in lost productivity, medical costs, and criminal justice costs.

If you talk to anybody, any of the law enforcement officers in your hometown, your home community, your State, they will tell you, 8 out of 10—a minimum of 8 out of 10 of the crimes that are reported that they go out on

are drug-induced. Currently, 1 in 10 Americans with a substance abuse disorder receives treatment. So only 10 percent are getting treatment. So many people over the years believed—and I was one of them 20 years ago—believed if you fool with any types of drugs, you are committing a crime, and we are going to put you in jail.

Well, we put you in jail, but we just did not cure anybody. It didn't get any better. So we better try something different. It has been proven that addiction is an illness, and an illness needs treatment. There is no treatment. Only 1 in 10 can find it. Since 1999, we have lost almost 200,000 Americans—200,000—to prescription opioid abuse.

If we lost 200,000 in any other arena, I will guarantee you we would go into action. We would find a way to stop this, but we have not done a thing about this. In October, President Obama came to Charles Town, WV, to talk to people on the frontlines of the epidemic. Following the visit, he called for emergency funding to combat the opioid crisis. Now we have Presidential candidates talking about prescription drug abuse. Earlier this year, Secretary Clinton was in West Virginia talking about ways we can work together to prevent and treat prescription drug abuse.

The FDA began making changes to the way it approves opioid medications. The CDC, the Centers for Disease Control, released much needed guidelines for the prescribing of opioids for managing chronic pain. We need a serious culture change in America, and I mean a serious culture change, to get to the root of the problem. We need to change the approval of opioid drugs at the FDA.

We can't have the Food and Drug Administration that is responsible for us getting products that are supposed to be good for us to consume not knowing what the effects may be. I keep telling them—I ask: Why do you continue to approve new opioid painkillers coming on the market? Why? Don't we have enough? If you do approve something new, don't you think something ought to be removed rather than just keeping more products on the market?

I am going to read a letter. I read letters because I have always said that this is a silent killer. The silent killer of drug abuse, of prescription drug abuse, is, if it is in your family, we don't want to talk about it. It is my son or my daughter, it is my mom or my uncle, it is my aunt, we will take care of it. We will keep it within ourselves.

So it is a silent killer because nobody talks about it. Nobody knew what was going on. Nobody knew the heartache and all of the absolutely devastating tragedies families were going through. They thought they could take care of it because we did not know it was an illness. We did not know it needs treatment. They did not have a place to turn. Most families don't have the resources to send them to the treatment centers. They are very expensive.

So we have asked people to start speaking out. I am getting letters from all over the country. I am going to read Samantha Frashier's letter. They are giving me names now. It is not anonymous. It used to be anonymous, "Don't use my name." They want you to know. They want you to know and put a real face with a real name and a real person:

I will start this off by saying, I am not from West Virginia. I live in Ohio. But I felt like I could still share my story.

My dad's family is from West Virginia and I have seen the devastation of the opiate epidemic there. It is just as bad here in Cincinnati and all of the suburbs surrounding it.

I grew up in Mason, Ohio, and had a good life. We weren't rich, but we weren't poor. My parents did everything they could to take care of me and my brother.

I was very involved with the youth group in high school and just an all-around happy person. I went to a Christian university and just started drinking a lot.

That went on for a few years, and by the time I was 21, I started using pills recreationally. Stupid choice. That was in 2008 and heroin was just starting to creep in everywhere.

I used for 5 years, every day. Once I started, it was like I made a decision I could never quit, that I would use forever. I was such an evil, manipulative liar and thief. I ruined every relationship I ever had.

Finally, I got in trouble. I went on a small car chase, (stupid, I know) and was booked into jail on 11 charges, which resulted in 2 felonies, and I was sent to Monday Correctional Institute in Dayton, Ohio. It was there that I was taught the skills I needed to survive. I had to dig deep and really figure out who I was and what issues I need to really work on.

I also received letters from women at church I didn't even know. I corresponded with them over the months. These women made me feel a sense of being surrounded, even though I was in a lockdown facility.

I spent 5 months there, got a job, became a manager and ran a failing pizza restaurant. About 10 months after being released, I found out I was pregnant with identical twin boys. I had some complications with my pregnancy and was on bed rest and still dealing with issues. My boys are 7 months old now. My boyfriend and I are both almost 3 years clean, and we are blessed enough to find someone to rent a house to us.

I am currently involved in starting a non-profit recovery home here in Warren County, Ohio, called "The Next." We will help women after they detox with a recovery home.

The other part of my story is that I have also watched my family become crippled by this disease of addiction. My brother recently was using drugs. We couldn't find him help anywhere. Waiting lists, insurance copays for thousands of dollars, flying to different states, nothing local. He ended up getting in trouble and he now has a felony.

My aunt has already lost one son to a heroin overdose and 3 weeks ago we sat in the hospital with her daughter, holding her down because she had alcohol poisoning, and she was intubated and on a breathing machine.

The pain, the hurt, I see it in everyone's eyes. I can't imagine what that is like. I look at my boys and pray that I will do everything I can to steer them away. It's in their genes and they have to be careful.

My heart is big and I have spent nights crying over this. My friend Pete's funeral is next week. He died of a heroin overdose. Every few weeks, someone dies, or they are sent to jail and get no help, get released, or

go to prison and don't get help and spend their time with other people who don't want to change. They get released eventually and have no skills.

Everyone is set up for failure. This is affecting every single person in this community, and I know it is like this in so many other places.

I hope to hear of a dollar amount attached to the CARA act, and that there are changes. We need recovery homes, rehab, different laws to encourage getting help, helping those in prison that want to change to provide a reachable opportunity.

It is 100 percent possible to get clean. I want everyone to know it is possible to share the hope that a successful life is achievable. I have a huge passion to change things and to help that change. I have sent letters, e-mails, web messages to all the Congressmen, judges, prosecutors, City of Mason, Mason Police Department, and Warren County. I am doing whatever part I can.

This is killing so many young lives, and mothers, fathers, daughters, and sons, everyone, and they need to change.

This is a letter—and I want to answer this by saying we are trying. I have a piece of legislation that I have drafted. This piece of legislation is going to have permanent funding that will go directly to treatment centers—directly—100 percent to treatment centers around this country.

What it does is it asks to be charged one penny per milligram—one penny per milligram—for every opioid produced and sold in America. That will raise about \$1.5 to \$2 billion. So I would say to all of my colleagues and friends who are afraid that, oh, this is a new tax—this is a treatment center. This is a way to get people clean again. This is what we are asking people to sign on to.

I will guarantee you there will not be one family—Democratic or Republican—that would vote against you if you can help save their child and give them a place to go to get clean. This is so important.

I thank you for allowing me to speak today, taking the time to read this letter with so many people because it is personal. You can now put a face, a story, and a family behind it, and that is what we all should be doing.

It is no longer the silent killer. It is still a killer, but people are speaking out. They asking for help. That help comes right here in the Halls of the Senate and the Halls of Congress. We can make a difference in America and save a whole generation.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. 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 Sen-

ate 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.

#### RECOGNIZING THE UNITED STATES CHESS TEAM

Mr. MENENDEZ. Mr. President, today I wish to recognize the remarkable accomplishments of the U.S. Chess Olympiad team. Widely considered to be the pinnacle of international chess, Chess Olympiad is a biennial competition organized by the World Chess Federation where teams from all over the world gather to compete. This year, over 175 nations and territories in attendance were represented at the Olympiad.

For the first time since 1976, the U.S. team emerged from a talented and crowded field to claim victory and cement its spot at the top of the chess world. The team was led by U.S. champion Grandmaster Fabiano Caruana, who won a bronze medal in the individual competition, and boasted a strong lineup featuring 3 of the top 10 players in the world. Grandmaster Caruana, Grandmaster Hikaru Nakamura, Grandmaster Wesley So, Grandmaster Ray Robson, Grandmaster Samuel Shankland, team captain International Master John Donaldson, and coach Grandmaster Aleksandr Lenderman dedicating themselves to becoming the best in the world, and represented the United States with honor and pride at the 42nd Chess Olympiad.

I am proud to say that Fabiano Caruana has partnered with the Liberty Science Center in my home State of New Jersey to bring chess to a new generation of students across the State. As the visiting grandmaster and "Chess Rules!" ambassador, Caruana works with the Liberty Science Center to improve children's concentration, critical thinking, memory, and analytic skills in a fun and engaging way through the game of chess. I am pleased that Grandmaster Caruana's first stop upon returning to the U.S. will be an event at Liberty Science Center to celebrate the U.S. victory and continue the important work that he has been doing.

Let me conclude by again congratulating the U.S. Chess Olympiad team, and wishing all of its members continued success in the future.

Thank you.

#### ADDITIONAL STATEMENTS

##### TRIBUTE TO STEPHEN N. LIMBAUGH, JR.

• Mr. BLUNT. Mr. President, today I wish to honor Judge Stephen N. Limbaugh, Jr., of Cape Girardeau, MO, for his service and dedication to the State Historical Society of Missouri.

Judge Limbaugh is completing his final term as president of the society