I urge support for this amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

THE LEGAL SYSTEM

Ms. WARREN. Mr. President, across the street at the Supreme Court, four simple words are engraved on the face of the building: ''Equal Justice Under Law.'' That is supposed to be the basic premise of our legal system: that our laws are just and that everyone—no matter how rich, how powerful or how well connected—will be held equally accountable if they break those laws.

But that is not the America we live in. It is not equal justice when a kid gets thrown in jail for stealing a car while a CEO gets a huge raise when his company steals billions. It is not equal justice when someone hooked on opioids gets locked up for buying pills on the street, but banking executives get off scot-free for laundering nearly a $1 billion of drug cartel money.

We have one set of law on the books, but there are really two legal systems. One legal system is for big corporations, for the wealthy and the powerful. In this legal system, government officials fret about unintended consequences if they are too tough. In this legal system, instead of demanding actual punishment for breaking the law, the government regularly accepts token fines and phony promises to do better next time. In this legal system, even after huge companies plead guilty to felonies, law enforcement officials are so timid that they don't even bring charges against individuals who work there. That is one system.

The second system is for everyone else. In this second system, whoever breaks the law can be held accountable. Government enforcement isn't timid here. It is aggressive, and consequences be damned. Just ask the families of Sandra Bland, Freddie Gray, and Michael Brown about how aggressive they are.

In this legal system, the government locks up people for decades, ruining lives over minor drug crimes because that is what the law demands.

Yes, there are two legal systems—one for the rich and powerful and one for everyone else.

Last Friday I released a report about the special legal system for big corporations and their executives. The report is called ''Rigged Justice,'' and it lists 20 examples from last year alone in which the government caught big companies breaking the law—defrauding taxpayers, covering up deadly safety problems, stealing billions from consumers and clients—and then just let them off easy. In most cases the government imposed fines and didn't require any admission of guilt. In the 20 cases I examined, just 1 executive went to jail for a measly 3 months, and that case involved 29 deaths. Most fines were only a tiny fraction of the company's annual profits, and some were structured so that the companies could just write them off as a tax deduction.

It is all part of a rigged game in Washington. Big businesses and powerful donors, with their armies of lobbyists and lawyers, write the rules to protect themselves. And when they don't follow the rules, they work the system to avoid any real responsibility.

How can it be that corporate offenders are repeatedly left off the hook when the vast majority of Americans—Republicans, Democrats, and Independents—want tougher punishment and stronger new laws for corporate crimes?

Well, that is how a rigged system works. Giant companies win no matter what the American people want.

Currently, we can see the rigged game in action. Republican politicians love to say they are tough on crime. They love to talk about personal responsibility and accountability when they are back home in their districts. But when they come to Washington, they are pushing to make it even easier for corporate criminals to escape justice.

This is one example. It starts, actually, with a great idea: reforming the criminal justice sentencing system to help some of the thousands of people who have been locked away for years for low-level offenses. Legislators in both parties have been working for years to slowly build bipartisan momentum for sentencing the reform. This is enormously important—a first step away from a broken system where half of our Federal jails are filled with nonviolent drug offenders. But now, all of a sudden, some Republicans are threatening to block reform unless Congress includes a so-called mens rea amendment to make it much harder for the government to prosecute hundreds of corporate crimes—crimes for everything from wire fraud to mislabeling prescription drugs.

In other words, for these Republicans, the price of helping people unjustly locked up in jail for years will be to make it even harder to lock up a white collar criminal for even a single day.

That is shameful—shameful. It is shameful because we are already way too easy on corporate lawbreakers.

And that is not all. Tomorrow the House will be voting on another Republican bill. This one would make it much harder to investigate and prosecute bank fraud. Yes, you heard that right. Tomorrow the House will be voting on a Republican bill to make it much harder to investigate and prosecute bank fraud.

When the bankers triggered the savings and loan crisis in the late 1980s, more than 1,000 of them were convicted of crimes and many got serious jail time. Boy, bankers learned their lesson. Now the lesson was not ''Don't break the law.'' The lesson they learned was ''Get Washington on your side.'' And it worked.

After systemic fraud on Wall Street helped spark a financial crisis in 2008 that cost millions of Americans their jobs and their homes, Federal prosecutors didn't put a single Wall Street executive in jail. Spineless regulators extracted a few fines and then just moved on.

But I guess even those fines were just too much for the big banks and their fancy executives. So now they have gotten their buddies in Congress to line up behind a bill that would gut one of their main laws, called FIRREA, which the Justice Department used to impose those fines.

It has been 7 years since the financial crisis. A lot of people in Washington may want to forget, but the American people have long memories. They remember how corporate fraud caused millions of families to lose their homes, their jobs, and their pensions. They also remember who made out like bandits, and they didn't send us here to help out the bandits.

The American people expect better from us. They expect us to straighten out our criminal justice system and reform drug enforcement practices that do nothing but destroy lives and communities. They expect us to stand against unjustified violence. But they also expect us to protect the financial system and to hold Wall Street executives accountable when they break the law. They expect us to hold big companies accountable when they steal billions of dollars from taxpayers, when they rip off students, veterans, retirees or single moms; or when they cover up health or safety problems, and people get sick, people get hurt or people die because of it.

The American people know that we have two legal systems, but they expect us to fix it. They expect us to stand for justice. They expect us to once again honor the simple notion that, in America, nobody is above the law. And anyone in Congress who thinks they can simply talk tough on crime and then vote to make it harder to crack down on corporate criminals, hear this: I promise you—I promise you, the American people are watching, and they will remember.

I yield the floor.

The PRESIDING OFFICER (Mr. COTTON). The Senator from Michigan.

FLINT, MICHIGAN, WATER CRISIS

Ms. STABENOW. Mr. President, I rise today to speak about an urgent and truly tragic situation in Flint, MI, and ask my colleagues in the Senate to look very hard at what has happened here and to help us address this issue.

This is a public health emergency on a massive scale. It is unprecedented. I don't know of any other American city where families in the entire city—in the entire city—can't drink their water, can't cook with their water, can't bathe their children with the water.

We need to be very clear. This morning, as every other morning now going on 2 years, people in Flint took showers by pouring bottled water over their

heads. They didn't have the dignity of clean water coming out of their taps. They had to use bottled water to drink, to make breakfast for their children, to make a pot of coffee—the things we all use water for and the things that all of us take for granted every single day. They will not have clean water until the pipes get replaced.

Up until now, we have had what we thought was a good series of negotiations. We thought we had an agreement. I have been very hopeful about the bipartisan discussions to help these families, and we have been incredibly flexible, Senator PETERS and I. We just want to get this done. We are not interested in the politics or making this partisan. We want to get something done for the people of Flint.

We understand that money doesn't grow on trees. Senator PETERS and I are willing in fact to support a proposal that was less than half of what we originally requested in order to be able to immediately get some help to the families of Flint. Now, we can't even get agreement on that because we are hearing procedural excuses—procedural excuses that are overcome every single day on this Senate floor when we want to. Lord knows, there were a whole bunch on the Transportation bill, all of which were waived because people wanted to fix the roads. I am left wondering what is going on. What is really going on here?

I am asking that we come together and understand that this is a serious, urgent issue and that we not accept procedural excuses. It is an urgent, severe, outrageous crisis, and we need to act now.

When we look at what has been said on the Senate floor, it is very concerning to me. One Senator yesterday said we are putting the cart before the horse by asking for money even before the government knew what this was going to cost. But, in fact, the Governor in writing requested from the President $766 million to replace the pipes in Flint and another $41 million in protective measures. So we are working within the numbers that the Governor of Michigan has identified and requested. While we truly don't know the full cost until work begins, as with any project, we need to begin to get this done immediately.

I think what is most important is for us to focus on what is happening to the children and families. No lead level is safe, and I have to say I know a lot more about lead than I have ever known before. Frankly, hearing about the damage done to children and what can happen to individuals is really frightening. We should all be doing everything we can to make sure we address this lead issue across the board.

The threshold set by the EPA and the Center for Disease Control is 15 parts per billion of exposure. The water filters that FEMA has provided to families in Flint are certified to protect lead up to 150 parts per billion. In many places, when they are provided and used correctly, that is making a real difference. But, unfortunately, we look at the severity of this. Last week, a new round of tests showed that lead in some homes in Flint range from 153 parts up to 4,000 parts per billion. If they are saying 15 parts per billion is when we need to be worried, I can't even fathom 4,000 parts.

We are all looking at all the different numbers, but I heard one commentator in the news say that the exposure to children and families in those particular homes is actually higher than a toxic waste dump. And this is after the city switched back to the Detroit water system because of the damage that was done to the pipes. So this is severe and urgent. We have to act now.

Unfortunately, the same Senator also suggested we are putting the cart before the horse because this was a local issue. Come on. I am really glad that the people of the great State of Michigan didn't have that attitude when a fertilizer plant in West Texas exploded and we spent millions of dollars in Federal funding on that town. That was also a manmade disaster where safety procedures were lax. We all saw the horror of that situation, and we stepped in as Americans to support that community and those families. That is all we are asking. When floods hit South Carolina and Texas last year, we came together with $300 million put in an omnibus for South Carolina and Texas for floods. And just last week, the same Member of the Republican leadership asked President Obama to grant a disaster declaration and funneled millions of dollars to his State.

We all know we have challenges in our States, and we need to be thoughtful. But we need to be supporting Americans around the country. This is a disaster. This is a situation where we need to show that we care about a group of people who did nothing. They did nothing, and they are in a situation where their entire water system is unusable. We should be lending a hand.

Right now, we have up to 9,000 children under the age of 6 in Flint—9,000 children—who are exposed to lead.

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

Ms. STABENOW. I appreciate that I am running out of time. I will close. I will be back a lot today. I would just indicate to the President and to others that we want this fixed. We have been working in good faith. We thought we had an agreement working within the framework given to us by the Republicans working on this issue. We are not going to let procedural issues that are fixed every single day in the Senate get in the way of what is happening. I am not going to tell families, I am not going to tell children, I am not going to tell moms in Flint ''Sorry, we can't help you'' because of some bureaucratic procedural issue that folks don't want to fix when they fix them every single day.

I yield the floor, and I will be back.

The PRESIDING OFFICER. The Senator from Wyoming.

ENERGY POLICY MODERNIZATION BILL

Mr. BARRASSO. Mr. President, for the past week the Senate has been debating the way that America produces and uses our energy. We have talked about how these issues affect our economy, how they affect our communities, and how they affect the world—the world that we hope to leave to our children.

As Senators have come to the floor and offered their ideas, I have tried to keep one basic idea in mind, and that idea is that we want to make energy as clean as we can, as fast as we can, as long as it doesn't raise costs on American families. I think that is the goal of many Members of the Senate with regard to this bipartisan legislation.

I want to talk today about two bipartisan ideas—ideas that some of us have offered to make this legislation even better. One of the first amendments the Senate took up on this bill was an amendment I offered, along with Senator SCHATZ, that passed by voice vote. He is a Democrat, I am a Republican, and it is something that both of us think is a very good idea.

This amendment creates a prize system to encourage new technologies that could remove carbon dioxide from the atmosphere and permanently sequester it. A lot of the Members of this body talk about reducing carbon dioxide in the atmosphere. Some of them want to reduce this by cutting the amount of emissions of carbon dioxide; some want to do it with a carbon tax; and some others want to do it by banning some of the energy sources that we need today to power our economy. The problem with that approach is that it severally reduces how much energy we as Americans can use, and it raises the cost of energies on hardworking families.

We just got the new economic numbers that are out in terms of economic growth in America for the last quarter of last year—0.7 percent. That is the last quarter of 2015. That is nowhere near the growth that we need in this country for a healthy economy. It is nothing.

Cutting back on the types of energy resources Americans can use by some of these proposals or by making energy much more expensive is not going to help our economy grow as we need it to in terms of having a healthy, strong economy.

The amendment that Senator SCHATZ and I have introduced looks at this issue from a very different direction. It looks at the carbon that is already in the atmosphere. The amendment says we should be looking much more at finding a way to remove some of that carbon dioxide. To get that done, America needs to invest more in developing new technology that can accomplish it, not just through more spending or more government research but by setting up a series of prizes for different technical breakthroughs. By doing that, we can turn to ingenuity