

have health insurance. They are smack dab in the middle. They are the people working for small businesses, and their children and they are the ones who are uninsured.

If we are going to fill the gaps in America and provide for coverage, that is the way we have to go. What are our goals? Our goals are simply stated. We want to have health care reform which helps the middle class in America. We want to make sure at the end of the day we have stable costs so people know what they can anticipate, so the costs will not run them out of health insurance coverage even if they lose a job. We want to provide a helping hand, for example, to lower income people so they can buy health insurance, giving them a tax break and giving them an incentive. We want to provide incentives and opportunities for businesses so they have the right to shop for the right health insurance coverage. We want to make sure they have stable coverage so these health insurance companies cannot waive the magic wand and all of a sudden they are not covered by health insurance anymore.

Stable costs, stable coverage, and make sure at the end of the day we have quality care available for all Americans.

One element we should be rewarding that the current system does not reward is preventive care.

There are a lot of things we can do to reduce the cost of health care in America and improve the health of individuals and families. We need to create incentives for that to happen. There are ways to do that.

Steve Burd is the CEO of Safeway and of Dominick's. He has a plan for his management employees where they can voluntarily sign up. They go through a health screening, they identify any risk that person might have: being overweight or diabetic or high blood pressure, high cholesterol, things of that nature, smoking. Then they create a little profile and say: What we would like you to do is move toward more fitness, better diet, monitoring your diabetes, monitoring your cholesterol and your blood pressure.

As they show improvement, they earn cash incentives. In other words, they pay them extra money if they get healthier. What has happened to the health insurance costs at Safeway in the last 3 years? It has been flat. It has not increased. Across the board in other companies across America on average it is has gone up 38 percent. So they are on to something.

By incentivizing employees to get healthier, they not only have better lives but better health outcomes and lower costs for their company. Why is that not a national model? Why are we not doing that across the board saying we are going to move toward a healthier country so we have fewer health care costs?

Second, we have to eliminate the incentives for piling on medical bills. Ever had a member of your family go

to the hospital for a day or two or a week, then a month later they send you the bill? Were you amazed at how thick it was? You turn it page after page and say: My goodness, thank goodness I have health insurance—if you do.

But if you do not, you look at the bottom line and say: I do not know how I am going to pay for these things. We reward doctors and hospitals for piling on every single line on the page. Every single line is a profitmaker, instead of saying the real goal is wellness and making certain people get well from diseases and illnesses. So we need to create a new incentive in the way we have health care in America, to take the best and brightest women and men who serve as our medical professionals working at these hospitals and give them the incentive for the best outcome.

Senator KLOBUCHAR from Minnesota was here a few moments ago, and she talked about the Mayo Clinic for which I have the highest regard and highest respect. This is a clinic which gets some of the best results in medicine in America at the lowest cost. How do they do it? What is so miraculous or magic up there in Rochester, MN?

Well, they pay their physicians a salary. The physician does not make an extra buck if he orders an extra test. The physician, instead, looks at that patient and says: I think we need three specialists in this room right now, and let's see if we can work out a plan for wellness. They come together and they work it out. It is not a matter of how many lines there are on a page and final billing. It is a matter of that person going home well, and it works. They have reduced cost, and it happens across America. We have seen it many places such as the Cleveland Clinic, and so many other places have been noted as examples of centers of excellence. That is what I want to see in my State of Illinois. That is what every State and every Senator should be working for.

I will close by saying, let's not fall into the trap of this health care reform debate and let the buzzwords and the words that infuriate people stop us from a meaningful, honest debate. This has to be patient-centered health care not government-centered health care.

We are not talking about rationing. We are talking about a rational health care system that is geared toward wellness and disease prevention. We have to make certain that at the end of the day we allow people to choose their own doctors and their own hospitals and their own health insurance plans and to keep the health insurance plan they have if they want to.

We have to help small business provide the kind of health insurance coverage they want to have for themselves as owners and for their employees as well. At the end of the day, we can improve this system. It is the biggest single issue challenge Congress has faced in at least 40 years, maybe in a much

longer period of time, because it affects every single person in this country.

We can do it. With the President's leadership and his commitment, we can get this right.

I yield the floor, and I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

Mrs. BOXER. I ask unanimous consent that the order for the quorum call be rescinded.

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

#### MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

#### HIGHWAY TRUST FUND RESTORATION

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of H.R. 3357, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 3357) to restore sums to the Highway Trust Fund, and for other purposes.

AMENDMENT NO. 1907, AS MODIFIED

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Mr. President, I call up my amendment and ask that it be modified with the changes at the desk.

The PRESIDING OFFICER. The clerk will report the amendment, as modified.

The legislative clerk read as follows:

The Senator from Louisiana [Mr. VITTER] proposes an amendment numbered 1907, as modified.

The amendment, as modified, is as follows:

(Purpose: To temporarily protect the solvency of the Highway Trust Fund)

Strike section 1 and insert the following:

#### SECTION 1. TEMPORARY PROTECTION OF HIGHWAY TRUST FUND SOLVENCY.

Notwithstanding section 5 of the American Recovery and Reinvestment Act of 2009 (Pub. Law 111-5), from the amounts appropriated or made available and remaining unobligated under such Act, the Director of the Office of Management and Budget shall transfer \$7,000,000,000 to the Highway Trust Fund. The Director of the Office of Management and Budget shall report to each congressional committee the amounts so transferred within the jurisdiction of such committee. The amounts so transferred shall remain available without fiscal year limitation.

Mr. VITTER. Mr. President, I urge all colleagues to come together, as the American people surely want us to do, and adopt this amendment. I truly believe this amendment is the responsible way to address the shortfall in the highway trust fund.

This amendment funds the highway trust fund shortfall by using money from the already-passed stimulus bill. That is important because otherwise we are racking up yet more deficit and more debt on top of the mountains of

debt we have already accumulated to pass on to our children and grandchildren. This is important so that, yes, needed highway work can be done, particularly needed work in the midst of a recession, but it can be done without racking up yet more debt to weigh down the economy and burden our children and grandchildren.

I wish to make two central points about this idea and why this amendment is necessary. First, the level of debt we are accumulating is truly staggering. It is beyond our ability to get our hands around. This year alone, the deficit has surpassed \$1 trillion. This year's deficit spending has gone beyond \$1 trillion. By the way, we are not finished this year. It continues to grow. This year, we have racked up over \$1.8 trillion of new debt because there is the \$1 trillion in the normal year's spending plus the huge stimulus bill of \$800 billion. In terms of racking up new debt to put on the backs of our children and grandchildren, there is \$1.8 trillion of new debt this year. That is way beyond anything we have experienced in our lifetime. Just the trillion dollars of deficit spending rivals the sort of numbers we used to talk about not so long ago for the entire Federal budget.

But, unfortunately, it gets worse. It gets significantly worse because this Congress, over my objection, passed President Obama's budget, and that budget takes those mountains of debt I just described—at already sky-high historic levels—and what does it do? Does it work it down? No. It doubles that level of debt in 5 years. It more than triples that level of debt in 10 years. That is the path we are on, and that is the legacy we are handing to our children and grandchildren. That is simply completely irresponsible. To have this mountain of debt already accumulated this year, at historically high levels—\$1.8 trillion accumulated this year alone, and it is growing—and then to have a budget plan that doubles that in 5 years and triples it in 10 years is inexcusable. In that 5-year period, this President will have racked up more debt than every predecessor President before him combined. We need to get off that path, and the American people know it.

The American people understand, through their common sense, that this is a recipe for disaster. All of us as parents want to hand our kids a better world, a world of more opportunity, a better future than even we had handed to us from our parents. Yet we are on a path to do exactly the opposite and hand our kids an enormous burden, hand them a tomorrow full of clouds and uncertainty, particularly dominated by this threat—central fundamental economic threat—of deficit and debt. We cannot accept that. Yet here we are on the floor with the other side proposing to fund the highway trust fund with—guess what—more debt, more borrowing, more borrowing by the government from whoever buys our

debt, including wonderful allies around the world like the Communist Chinese Government.

We need to get off this path, and this is one important step in doing that, saying: Yes, we will continue vital highway programs, but we will do it by taking from the already-appropriated stimulus funds. That is appropriate money that is already appropriated through the process. We will not do it by borrowing yet more money.

The other side has fancy arguments about: Well, this is really taking back a loan we sent the general fund 8 years ago. Let's make no mistake about it, that money is long gone. This is racking up more debt, purely and simply. For that very reason—because it is racking up more debt, because it increases outlays in this fiscal year—it has a budget point of order against it, which I will raise before our final vote. So if you need any further proof that the underlying bill requires borrowing yet more money, racking up yet more debt, it is nailed down by the fact that there is a budget point of order against the underlying bill, which I will raise.

The second critical reason we should adopt the Vitter amendment and fund highway projects from stimulus money and not rack up yet more debt goes to the nature of the stimulus and the attempt which has been very slow and very faltering of using those stimulus dollars to help revive the economy. Of course, that was the whole argument behind the stimulus: We are in a severe recession. We need to do something. We need to get spending and economic activity out the door. We need to hold down unemployment. That was the whole argument. From the very beginning, I did not think that would be the result. That is why I voted against the stimulus, both because of the nature of the spending—it is a lot of big government programs, not a lot of true shovel-ready infrastructure spending—and because of the timing of the spending. I thought from the very beginning that relatively few dollars would go out the door immediately and a lot of the stimulus money would not be spent for years. Well, unfortunately, all of that is coming true. Again, if you look at the nature of the spending in the stimulus and the timing of it, it leaves a lot to be desired.

I think all of us in this body, and Americans across the country, favored infrastructure spending as the centerpiece of the stimulus. Yes, let's do real, concrete, shovel-ready projects. Let's build roads and highways and bridges as the best example of a true, concrete, shovel-ready infrastructure project. I certainly strongly supported that element of spending as a way—not the only way but as a way—to help revive our economy.

Unfortunately, that type of project was never a major part of the stimulus bill as passed. In fact, if you take all of the roads and highways and bridges, all of that construction in the entire stimulus, how much of the bill do you think

it is? Fifty percent? Certainly not. Thirty percent? Keep going down. Twenty percent? No. Ten percent? Try 3.5 percent. Mr. President, 3.5 percent of the entire stimulus focused on what the American people thought really could be spent to help stimulate the economy: shovel-ready infrastructure projects on roads and highways and bridges.

My amendment is a way to increase that part of the stimulus that goes to that project to increase highway funding through the stimulus, which I think there was a very broad consensus to do from the beginning, but it never got done in the stimulus.

The second big problem with the stimulus is the timing of that money. It has gone out the door very slowly. Of the entire \$800 billion stimulus bill, which was supposed to be immediate relief for the economy—let's start turning the corner on this recession immediately passing that bill—today, months later, a half a year later, 10 percent has gone out the door. Only 10 percent has been spent. That is ludicrous.

Of that tiny slice that was roads and highways and bridges—the 3.5 percent—guess how much of that money has gotten spent. Mr. President, 1 percent of that. Not 1 percent of the whole bill, not almost a third of the 3.5 percent. I mean 1 percent of the 3.5 percent; in other words .035 percent of the entire bill—a meaningless amount. So let's increase the amount of money we take from the stimulus pot and immediately get it out the door for vital highway projects.

Because of those factors in the stimulus—the nature of the spending, which was never focused on real, shovel-ready infrastructure; only 3.5 percent going to roads and highways and bridges; and the timing of the money, which has been amazingly slow; only 10 percent of the stimulus spent right now and only 1 percent on roads and highways and bridges—what has been the effect on the economy? Well, of course, the effect has been slim to none.

This chart I have in the Chamber says it all. This graph is what the proponents of the stimulus bill say would happen to unemployment over time: We pass the stimulus, and it is going to help revive the economy. It is going to make sure unemployment peaks at less than 8 percent and then comes down. Well, unfortunately, the reality has been very different, because compared to this prediction by the proponents of the stimulus, this is the reality, as I show you on this chart. This is what unemployment has been doing in the last several months—going up and up and up, well beyond the peak that was predicted, reaching almost 10 percent today.

Again, this is the second fundamental reason we need to adopt the Vitter amendment, because the stimulus, as it was put together, is not

weighted nearly enough toward real infrastructure such as roads and highways and bridges, and it is not weighted nearly enough on spending now versus years from now. This Vitter amendment will help change that for the better. It will reweight the stimulus, at least at the margin, to more roads and highways and bridges and more spending now because we need it now in the midst of this recession now.

So again I urge all of my colleagues to come around and embrace and support this Vitter amendment. Doesn't it make sense to say we need to start now in terms of rejecting this path of more and more and more debt? Because the underlying bill, make no mistake about it, is funded by more borrowing, more debt. That is why a budget point of order lies against the underlying bill. I will raise that budget point of order before the end of our debate.

Secondly, doesn't it make sense to say: Look, the stimulus idea was about exactly this sort of spending? Americans across the country favor stimulus spending that is really focused on roads and highways and bridges and real infrastructure, things that are truly shovel ready. They do not favor big government waste programs and they do not favor spending 3 years from now because that is going to have no impact to get us out of this recession right now.

This amendment, again, will fine-tune the stimulus in the positive direction, toward spending on roads and highways and bridges, and virtually all of us support more of that spending, including the distinguished chairman of the Environment and Public Works Committee. She had an amendment on the stimulus to do just that, which was opposed and defeated by the other side.

This amendment will also fine-tune the stimulus to get more money out the door now. Don't we need that? Only 10 percent of the \$800 billion has been spent. Don't we need to front-load it a lot more than that to have any sort of significant positive impact on this recession?

Again, tragically, the unemployment figures say it all. The prediction: Peak at 8 percent, come down from there. The reality: We continue to go up and up and up—perilously close right now—toward 10 percent.

Again, I urge all of my colleagues, Democrats and Republicans, to join together, to work together, as the American people want us to do, around a basic commonsense idea. Let's stop the debt. Let's stop racking up yet more debt, putting it on the backs of our children and grandchildren. Let's front-load the stimulus and do shovel-ready infrastructure now rather than big government projects 3 years from now.

With that, Mr. President, I yield back my time.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, could the Presiding Officer let us know how

much time remains on the Vitter amendment and general debate?

The PRESIDING OFFICER. The Senator from California has 30 minutes remaining. The Senator from Louisiana has yielded back his time. There is 20 minutes of debate on the bill itself.

Mrs. BOXER. Mr. President, thank you very much.

Mr. President, of all the times to stop job creation in its tracks, I will tell you, this is not the time to do it. The Republican response to the bill that has come over from the House—the bill that would restore the funding, make sure there is funding in the highway trust fund to get us through September 30, and also make sure we can handle unemployment insurance and also ensure that our families can get mortgages, those who qualify—the answer from our Republican friends, and they have a right to do it, is to take that funding from the unobligated stimulus package.

Now, here is the thing. We know we are starting to finally get those dollars for our economic recovery out the door. We know that. Yes, they are not flying out the door because the administration wants to make sure these are worthy projects. But I will tell you right now, the Republicans are putting at risk the very program they say they embrace: the highway program. The fact is, we still have \$10 billion for highway-related jobs that would be subjected to the Vitter amendment. So, irony of ironies, they say they are extending the highway trust fund, but that amendment puts these funds at risk, puts these jobs at risk.

The stimulus is designed to create those jobs. The funding is getting out the door. I have gone to my State and seen it at work. Yes, we know employment is lagging. So what do you do when employment is lagging? You do not go to a program that is designed to put people to work.

I think it is important to note that the House bill is not only deficit neutral, it actually reduces the deficit. According to CBO, not only does it do it in 2010 but over the next 5- to 10-year period. That is because of the way they are funding the trust fund and the way they are funding the housing priority.

What the Republicans are doing is they are taking a deficit reduction measure that keeps the highway trust fund solvent through the end of September, that makes sure people can continue to get unemployment insurance, that makes sure people can get mortgages—those who qualify—and they are saying that, instead of reducing the deficit, let's slash the stimulus program, take funding away from our States, away from our counties, our cities, and our businesses back home when it is not necessary.

Mr. DURBIN. If the Senator will yield further, I am trying to see whether there is net job creation from the Senator's amendment or if we would lose ground with it. If our goal is to create more jobs in America—I listened

to the Senator's explanation, and I would like to ask the Senator from California this: Even if we just take the money out of one pocket and move it to another pocket, how does that create new jobs in America?

Mrs. BOXER. Clearly, it is not even moving funds, it is slashing funds from the stimulus program, which has one purpose, and that purpose is to create jobs.

Mr. VITTER. Will the Senator yield?

Mrs. BOXER. We have heard from our Republicans friends over and over again, who voted against the stimulus—although I have to say some of them are standing in front of projects built with stimulus dollars, but we will forget that for now—we are hearing from them that the stimulus isn't working fast enough. What do they want to do today but cut the funding?

What I have suggested—and I want to get my friend's reaction to this—to my friends on the other side—because I agree we ought to extend the highway trust fund for 18 months; I don't like the way they are paying for it—is to wait until the end of the stimulus program, and if there is funding at that time that hasn't been obligated, that has been left on the table, take those funds and add them to the highway trust fund.

Mr. DURBIN. If the Senator will further yield, I ask the Senator from California this: Since the Senator from Louisiana didn't support the President's recovery and reinvestment program, and most of those on his side of the aisle did not, those of us who voted for it did it with the understanding it would do a number of things. It provides tax relief for families, and it provides a helping hand to those who are unemployed, so they can afford health care insurance if they have lost their job, for example. It does provide infrastructure programs and projects. It is my understanding we are a little over 4 months into this 2-year stimulus program—not quite 5 months into it—and the Senator from Louisiana wants to basically declare it a failure, never having voted for it. I ask the Senator from California, when the Senator from Louisiana talks about the number of dollars committed, the number of projects we have agreed to, it was my understanding that, as of a couple weeks ago, we had obligated over \$200 billion out of the \$787 billion, meaning we promised we will pay, once the projects are underway and the jobs are actually created, and that number is going to continue to grow as we obligate it. Is it not also true that we want to make certain, whether we are spending money for projects under the highway trust fund or the stimulus bill, that we don't waste taxpayer dollars; we want to look carefully at each project to make sure it serves a public purpose and make certain Americans are going to work at a decent wage, and when it is over, we not only get through the recession, but we have a legacy of projects that will serve our economy and our Nation.

If the Senator from Louisiana has his way, he is going to take the money out that we are currently investing into creating jobs in America and move it into the highway trust fund. I am wondering if the Senator could respond. Does it make any sense for us to take a different approach on the stimulus and not be careful that the money we spend is actually spent well?

Mr. VITTER. Will the Senator yield?

Mrs. BOXER. I will yield to the Senator from Louisiana on his time, but I will keep my time right now. It is very important we thread this needle in the right way. We want those jobs out there, and we want them out there as fast as they can get there.

Out of the \$27 billion for highway projects, there is \$10 billion remaining. I can assure both my friends that it is very important to be careful in the way you do it. If you do it too quickly, you know what will happen on the floor of the Senate. We will have our friends on the other side saying: “they rushed.” We want to be careful, but we don’t want to, at this point, as we see this recovery starting to take hold—we all believe and hope it is true—we know employment is the lagging indicator. This is not the time to throw a dagger into the heart of job creation. That is what the Senator’s amendment will do.

Mr. DURBIN. I ask the Senator from California, if I have the appropriate amendment before us, does the Senator from Louisiana go beyond the highway trust fund in the money that is transferred? Does he apply some of the money from the stimulus to unemployment and to mortgage insurance or is that a separate amendment? I know his amendments were filed late last night, and I am not sure.

Mrs. BOXER. I believe the Senator’s amendment—and he can explain it—deals with the trust fund, and others will have similar amendments for UI and mortgage insurance.

Mr. DURBIN. I ask the Senator—and this is a legitimate inquiry, as I don’t know the answer—on the stimulus projects we are funding, what is the requirement for a local match for those projects, as opposed to requirements for projects under the highway trust fund?

Mrs. BOXER. My understanding is it is 100 percent because it is the stimulus. We are trying to do that because our States are suffering—yours is and mine. We saw our Republican Governor talk about how heavy our hearts are back there, and we decided to help our State. This is very different. It is 100 percent offset.

Mr. DURBIN. The stimulus is 100 percent Federal, which means projects go forward even if States are struggling with the budget. If the money goes into the highway trust fund for projects, most of that required a State or local match, right?

Mrs. BOXER. That is correct; 20, 30 percent.

Mr. DURBIN. Most States, including Illinois, California, and others, would

have a more difficult time moving projects forward through the highway trust fund rather than the stimulus, which is 100 percent Federal dollars.

Actually, the Senator from Louisiana is cutting down the opportunity, reducing the opportunity for infrastructure projects by requiring this match through the highway trust fund; isn’t that correct?

Mrs. BOXER. I say to the assistant majority leader, he is absolutely correct. I understand the need to extend the trust funds to 18 months. On that part, Senator VITTER and I are in agreement. But the way he funds it is hurtful to the American people, to the American workers, to our businesses, and to our contractors. Even though we know a lot of us want to see these funds get out there quicker, they are on the verge—Vice President BIDEN has said we have committed more than a fourth of the Recovery Act total funds. We are on track to meet the deadline set when the act was passed in February, spending 70 percent by the end of September of 2010. He points out that the purpose of the stimulus was the jolt for immediate help but then a long-term economic recovery.

This kind of amendment—and the others we will see—which says to the American people: Gee, it is 4 months and we want to forget about this whole notion—doesn’t make sense. The timing of this is way off. If at the end of the 2-year period, within which the stimulus is supposed to act, there is money left over, I will be the first one saying: Let’s either reduce the deficit with it or let’s put it into the highway trust fund. I do believe infrastructure should have gotten more funds from the stimulus, but that is another point.

Mr. DURBIN. My last question to the Senator from California—and I join her in opposition to this amendment—is this: If the net result of the Vitter amendment is not to increase jobs in America but actually will reduce jobs in America, it seems like it is the opposite of what we ought to be doing in the middle of a recession, with so many Americans losing work. We want to create good-paying jobs here at home, and the Vitter amendment, by increasing the need for a State and local match, for example, is going to decrease the likelihood of creating jobs. The stimulus money—100 percent Federal money that is for shovel-ready projects—will move more quickly into the economy and into paychecks and will help us rebound from this recession we are in.

I say to the Senator from California, I thank her for her opposition to this amendment. I hope our colleagues on both sides will realize that even if you didn’t vote for the stimulus, voting for the Vitter amendment is going to take money away from projects in your States that will create good-paying jobs.

Mrs. BOXER. Before my friend leaves, I think I can put some specifics out to him. We already know there are

\$10 billion worth of highway projects that have not been obligated. That is at risk right away. We know there are Superfund cleanups that are long overdue. We have funds for that. We have \$5.5 billion in construction-related activity that deals with cleaning up underground leaking storage tanks and the specialized, good-paying jobs that those activities create. We have \$300 million to restore our Nation’s wildlife refuges. We have \$100 million in a great program Republicans and Democrats have been lauding in my committee—the Economic Development Administration—where you leverage those funds from business. That would be at risk. We have \$5 billion available for flood control. It is ironic that my friend from Louisiana—I have been working with him and Senator LANDRIEU to do everything in our power to stop flooding. We have problems in our State, and Lord knows and the world knows about the problem in Senator VITTER’s State; \$5 billion was available for flood control, for water supply and harbor maintenance, all of which are focused on job creation, and the irony of ironies is that those funds could well be cut under the Vitter amendment.

Mr. DURBIN. So the Senator’s amendment would effectively cut funds used in the stimulus for flood control?

Mrs. BOXER. Any funds not obligated out of the \$5 billion available. As we know, Vice President BIDEN says, on average, 25 percent of the funds have been obligated. That means a good portion of the \$5 billion for flood control would, in fact, be at risk.

I thank my friend for coming over and helping me explain to our colleagues and the American people why we oppose this amendment, even though it may be well intentioned. At the end of the day, it hurts our people and their chance to get good jobs.

I yield the floor and reserve my time.

The ACTING PRESIDENT pro tempore. The Senator from Louisiana is recognized.

Mr. VITTER. Madam President, let me briefly address some of the issues and misconceptions that have come up by focusing on four key points.

First, I believe the Senator from Illinois said: Why would we want to take anything out of the stimulus and stop job creation? I have a news flash: There is no job creation. Unemployment is going up. Again, unfortunately and tragically, the unemployment numbers say it all. This was the projection from the proponents of the stimulus about unemployment peaking at 8 percent and then coming down. Tragically, this is the reality. Joblessness goes up and up, toward 8 percent. So there is no job creation right now.

No. 2, the Senator from Illinois said: Why would we want to move money from one pocket into another pocket? That doesn’t do anything. Well, it does a lot if the pocket we are removing money from is stuff that would not be spent until after 2011, and we move it

to a pocket focused on real, concrete roads, highways, and bridges—spending that can be done now. That is a big change in terms of the type of spending we are talking about. It is a big change in terms of the timing of the spending.

The biggest reason for the stimulus having no significant impact on unemployment is the type and the timing of the spending. On the timing side, only 10 percent of the entire \$800 billion stimulus has been spent to date. On the type of spending, only 3.5 percent of the whole bill was ever for roads, highways, and bridges. Only 1 percent of that—1 percent of the 3.5 percent—has been spent yet. So, yes, we are moving money from one pocket to another so as not to run up more debt. In the process, we are having a lot more immediate, positive impact on employment. That is very important.

Point No. 3: In direct response to the Senator from California, if she would like to wall off any stimulus money—the money for roads, highways and bridges and the money for flood control—and say the President cannot use that money in this transfer, I would be very open and supportive of such a second-degree amendment.

I did not do that simply to give the administration maximum flexibility in terms of working out those details. However, again, if the Senator from California would like to propose a second-degree amendment to wall off true highway funding or flood control funding, or whatever, I would be happy to support that.

Fourth and finally, I couldn't believe my ears, but I think the Senator from California said the underlying bill involves deficit reduction. Let's get real.

H.R. 3357: TO RESTORE SUMS TO THE HIGHWAY TRUST FUND AND FOR OTHER PURPOSES

	Changes in direct spending (in millions of dollars)			
	2009	2010	2009–2014	2009–2019
Section 1—Appropriate \$7 billion to the Highway Trust Fund:				
Budget Authority .....	0	0	0	0
Estimated Outlays .....	1,000	–1,000	0	0
Section 4—Increase Loan Limit to \$400 Billion for the GNMA Mortgage-backed Securities Loan Guarantee Program Account:				
Estimated Budget Authority .....	–40	0	–40	–40
Estimated Outlays .....	–40	0	–40	–40
Total, H.R. 3357:				
Estimated Budget Authority .....	–40	0	–40	–40
Estimated Outlays .....	960	–1,000	–40	–40

NOTES:

Section 2 would have no estimated budgetary impact relative to CBO's baseline. The costs of providing benefits under the unemployment compensation program are assumed in the baseline, consistent with section 257 of the Deficit Control Act of 1985, which states that "funding for entitlement authority is assumed to be adequate to make all payments required." Section 3 also would not have a budget impact. Allowing FHA to guarantee additional loans has no cost or savings because under the Federal Credit Reform, CBO's estimate of the subsidy cost of new FHA guarantees is zero. Source: Congressional Budget Office.

Mrs. BOXER. Madam President, notwithstanding the order of July 29, I ask that it be in order for Senator VITTER to make a budget point of order against H.R. 3357 at this time, and that a motion to waive the applicable point of order be considered made, with the vote on waiving the point of order occurring at a time to be determined.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. VITTER. Madam President, I will make that point of order. The underlying bill is such a great deficit reduction that it would involve more borrowing and more debt and more mandatory spending. It would specifically in-

I know Washington is a fairy tale world. I know things are turned upside down so often, like Alice in Wonderland, but the underlying bill involves racking up more debt, more deficit. That is the whole motivating factor of my amendment. The underlying bill does nothing but borrow more. Don't take my word for it; look at the fact that there is a budget point of order against the underlying bill which I will point out and raise for consideration by the Senate.

So the underlying bill clearly involves more debt. How could it not? We are taking money from the general fund to fill in the highway trust fund. Guess what. We are deficit spending in the general fund. We are already, through the general fund, racking up a deficit. So if we take money from there, we have to backfill that if we spend the same amount with more borrowing, more deficit, more debt.

Again, if we care about turning the corner on deficit and debt, this is the responsible amendment to support and the responsible approach to take. The underlying bill racks up more debt; the Vitter amendment avoids that.

Again, there is a budget point of order against this underlying bill about which, with the cooperation of the Senator from California, I believe she needs to make some introductory comments, but I will make that budget point of order now.

I yield the floor to the Senator from California.

Mrs. BOXER. Madam President, how much time remains on the Vitter amendment on either side?

The ACTING PRESIDENT pro tempore. The Republican side has 9½ minutes.

utes for Senator VITTER; 15 minutes for Senator BOXER.

Mrs. BOXER. And on the general debate?

The ACTING PRESIDENT pro tempore. Twenty minutes on the general debate.

Mrs. BOXER. Madam President, I am going to put a couple of items in the RECORD and make sure Senator VITTER can offer his budget point of order. I asked if Senator DURBIN would be willing to take 10 minutes on our side on the general debate. I don't think I have to ask unanimous consent, but why don't I do that. I ask unanimous consent that after I conclude and after Senator VITTER makes his point of order, then we get to Senator DURBIN for his 10 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mrs. BOXER. Madam President, on the issue of the Congressional Budget Office score that scores the House bill as deficit reduction, I find it intriguing that my friend who supports the CBO when they say we are spending money—for example, on the health bill, they say: Oh, look. CBO says it costs money, but he derides it when CBO says this particular bill is a deficit reducer.

I ask unanimous consent to have printed in the RECORD the CBO score that shows, in fact, the bill sent over from the House reduces the deficit.

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

crease mandatory spending and exceed the committee's section 302(a) allocation. Therefore, I raise a point of order against the bill pursuant to section 302(f) of the Congressional Budget Act of 1974.

The ACTING PRESIDENT pro tempore. Under the previous order, the waiver is considered made.

Mr. DURBIN. Madam President, I seek recognition pursuant to the unanimous consent agreement of the Senator from California, 10 minutes remaining on our side on the general debate.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. DURBIN. Madam President, the Senator from Louisiana suggests the stimulus bill the President enacted is not creating jobs because we still have unemployment. The fact is, it is creating jobs and we are still in a recession. Were we not working with the stimulus bill to put money back in the economy to create American jobs, it would be worse. We all know that.

When the President came to office, he encountered an economy that was losing on average 700,000 jobs a month. Our growth rate had hit a negative 6.3 percent. Foreclosures were at record levels, and residential investment had

fallen. Banks were in crisis and freezing lending. Madam President, \$10 trillion in wealth had been lost. Virtually every American with a savings or retirement account had taken a hit. That is when the President took his hand off the Bible and accepted the responsibility of office, and that is what he inherited.

He came to Congress and said: Let's put money in the economy and get Americans back to work. Let's invest in things that will pay off in the long run. Let's build the bridges, the highways, the airports. Let's make sure we make investments that not only create jobs today, but we can rely on in the future to build our economy. And we did it, with limited help from the other side of the aisle.

The Senator who is offering this amendment voted against it. The position for most Senators on the other side of the aisle was, let's do nothing; let's let the market work this out.

Do you have any idea where we would be today if the market was still working this out? I am afraid we would be in sorry shape. We would continue to see job loss and continue to see more and more unemployed Americans, which is exactly the opposite of what we want.

Now comes the Senator from Louisiana who opposed the stimulus package in the midst of this economic crisis and now says: Let's take money out of the stimulus package that is creating good-paying jobs in America. Let's take it away from the States where they get 100 percent Federal funding for their projects. Let's put it in a different fund. It isn't creating any new investment, but let's put it in a different fund that now requires a State match.

What that means is, if your State budget is struggling—we know a lot of States are—the Senator from Louisiana does you no favor. He is taking a project in your State that is important for your economic future, closes it down and says: We will be glad to give you some of that money back as long as you can come up with matching funds.

I am afraid that is not helpful. It is hurtful at a time when this economy needs all the help it can get. When it comes to the stimulus package, understand, we are a little over 4 months into this stimulus, this 2-year stimulus package.

The Senator from Louisiana says: I am prepared to declare it a failure; let's stop right now.

I am not prepared to declare it a failure. In fact, I think there is an indication that it is starting to put America back to work.

Because of the Recovery Act, on which the Senator from Louisiana wants to reduce spending—listen to this—95 percent of working families are already getting tax credits in their paychecks. Those dealing with job loss are collecting an extra \$25 a week if they are out of work. That does not sound like much if you have a job, but

if you are out of work, it means something.

There also is help for unemployed people to pay health insurance. I don't know if the Senator from Louisiana didn't vote for that. I don't know if he thinks that is a good idea. If I were unemployed, I would want my family to have health insurance. That is pretty basic.

There is money to help seniors and college students, many of whom have faced the idea of suspending their college education because mom and dad are struggling at home. The Senator from Louisiana may be opposed to that; I am not. I want them to stay in school. I want them to get their degrees because they will lead America.

We provided \$34 billion in funds for States for Medicaid because our States are struggling to provide health care for the poor. The Senator from Louisiana may oppose that. That is his right to do. I happen to think that providing basic health care to the poor in America is evidence we are a caring and compassionate nation and will continue to be.

The money that has gone to States and local governments has avoided the layoffs of teachers and police officers and other law enforcement in Louisiana, Illinois, California, and around the Nation. The Senator from Louisiana may think that is a waste of money, we never should have done that. But for a safer America and for an America where kids can go to school and have the teachers they need, I think the money was well spent.

Beyond that, this Recovery Act in which we are involved is one that is starting to make some results. Just starting. I am not being Pollyanna-ish about this. We are still in a recession. I think we are coming out—I hope we are coming out.

In January, the month before this Recovery Act went into law, we lost 741,000 jobs. Terrible. By June, the economy was losing one-third fewer jobs. I wish we were not losing any jobs, but the fact is the stimulus is starting to work.

The Senator from Louisiana, who did not support it, who had no plan for this economy, now wants to take the money out just at the moment it is starting to work. Boy, the perfect Washington answer. Let's move in right now, 4 months into a 2-year program, and declare it a failure. That may be his approach, but I don't think it works for America.

In less than 160 days, more than 30,000 projects have been started under this bill—30,000 across the country. I went to Peoria, IL. There is a project at the airport which is critical to its economic future funded by the stimulus bill, creating good-paying local jobs right in the heartland of Illinois. More than \$23 billion will be made available to fund over 6,600 shovel-ready construction projects; 3,200 are underway. If the Senator from Louisiana has his way, we will stop right

there. We will start cutting back on these projects right now. That is his idea of economic recovery.

Over \$369 million has been put into rural water systems. I can tell you, representing a State with a lot of small towns, such as Louisiana, they need this money to make sure their drinking water is safe for the people who live there. The Senator from Louisiana says: Enough said; let's start cutting back on that.

Madam President, \$2 billion has been moved out to State governments and community organizations for weatherization and energy efficiency on low-income homes, and half a billion in overdue cleanup of Superfund sites. The Senator from Louisiana says: Let's cut that money; let's reduce that money. I don't think that makes sense.

We know if we did not have this Recovery Act, there would be more unemployment, more people out of work, fewer dollars being paid in taxes to the Federal Government and State governments. Our situation would be worse when it comes to the deficit. The more people who are unemployed, the fewer who are paying taxes, the more people need services. It is a recipe for a deficit that grows.

The Vitter amendment, by reducing the spending power of the stimulus funds, will make our deficit worse. That is a fact. He must acknowledge that. I hope he does.

In terms of obligating these funds, I want to make sure at the end of the day, having voted for this and supported it, that the money is well spent. I don't want a single dollar wasted. We are going to take care to make sure these projects make sense, that we have a justification for them, and they will serve America and our economy's future. That is responsible and accountable transparency.

I know the Senator from Louisiana says we are 4 months in, we have not gotten it spent, it is time to bail out. That kind of shortsightedness will not work. The idea that we would cut back on funds for flood control in the States of Louisiana and Illinois makes no sense whatsoever. The Senator from Louisiana is wanting to cut back those funds so he can transfer money into the highway trust fund.

I think we are on the path to recovery. I hope that path is a short one and we reach it soon. In the meantime, the Vitter amendment will not help. The Vitter amendment makes it worse. The situation is that the projects we are counting on to get America back to work, good-paying jobs right here at home, are in danger because of this amendment.

I urge my colleagues on both sides of the aisle, even if they didn't vote for the stimulus package, do the math—100 percent Federal money for the project in that State, as opposed to the Vitter approach which would require 20 percent or more from the State before they could go forward with any projects at a time when most States

are struggling. This is not the answer. This will not be the only part of the problem; it will be a big part of the problem.

I yield back the remainder of my time.

The PRESIDING OFFICER (Mrs. HAGAN). The Senator from Nevada.

AMENDMENT NO. 1905, AS MODIFIED

Mr. ENSIGN. Madam President, I call up my amendment at the desk and ask that it be modified with the changes that are at the desk.

The PRESIDING OFFICER. The instruction line of the amendment is so modified.

The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. ENSIGN] proposes an amendment numbered 1905, as modified.

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

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

The amendment is as follows:

(Purpose: To offset the appropriation of funds to replenish the Unemployment Trust Fund with unobligated nonveterans funds from the American Recovery and Reinvestment Act of 2009)

On page 3, after line 12, add the following:

**SEC. 5. USE OF STIMULUS FUNDS TO OFFSET APPROPRIATION OF FUNDS TO REPLENISH UNEMPLOYMENT TRUST FUND.**

The unobligated balance of each amount appropriated or made available under the American Recovery and Reinvestment Act of 2009 (Public Law 111-5) (other than under title X of division A of such Act) is rescinded pro rata such that the aggregate amount of such rescissions equals \$7,500,000,000 in order to offset the amount appropriated to the Unemployment Trust Fund under the amendment made by section 2 of this Act. The Director of the Office of Management and Budget shall report to each congressional committee the amounts so rescinded within the jurisdiction of such committee.

Mr. ENSIGN. Madam President, in my home State of Nevada, the unemployment rate has reached 12 percent, and we are seeing unemployment continue to rise across the country. The President said the stimulus bill that was passed this year was going to keep unemployment no higher than 8.3 percent across the country. We know it is a lot higher than that everywhere now. This is not just a Nevada problem, it is a problem in every State.

American families across the country are hurting, and they are hurting badly. I am offering an amendment that will help families during these tough times. 18 States have depleted their State unemployment fund and are now borrowing from the Federal unemployment fund to cover benefits. The Federal Fund is now running dangerously low. I am offering an amendment to shore up the Federal fund and help the States that have depleted their own funds. My amendment will help in a way that is fiscally responsible. My amendment is very simple. It would say we are going to use money out of the stimulus bill to replenish the

Federal unemployment funds that the States are borrowing from, and we are going to do that in a way where we don't increase the deficit. My amendment does not play any phony numbers games, unlike the bill that was sent over here from the House of Representatives. The House bill says, technically, it is not increasing the deficit. The Federal Government, however, is borrowing from future generations, and will very likely forgive the States that have borrowed money, which will therefore increase the deficit.

The U.S. Department of Labor estimates it will take about \$7.5 billion to replenish the Federal fund for the rest of the Fiscal Year. Next year, it is projected to be at \$30 billion. And we have already seen in the stimulus bill that this Congress is giving money away to the States. We will continue to borrow from future generations so we can forgive that debt the States have run up. States are not going to be able to pay back all they have borrowed, right? That is what we all assume. So let's show some fiscal responsibility and take the money needed to replenish the Federal unemployment fund, out of the stimulus.

The Senator from Illinois was just on the floor talking, and I listened carefully to some of the things he was saying. He was saying that if we actually borrow less—as does the Vitter amendment, for instance—it means our deficit is going to be more. Well, that just doesn't pass the commonsense test. I know what he is saying. He is saying, basically, if we take the money away from the stimulus—in other words, we borrow less now—it is not going to help the economy as much. That was the philosophy behind the stimulus package, that by borrowing money and putting that government money into the economy, we would help the economy recover. I think it is not arguable that there are a certain amount of jobs that can be created by government spending.

The reason I voted against the stimulus bill is because I thought a lot of the money was irresponsibly spent and it was going to run up the deficit. So I was looking more long term, not just short-term. The problem with continuing to borrow more and more is we have the threat of long-term economic harm. We have the threat of long-term inflation in this country, which will be devastating to this economy.

Under the President's budget that was passed here in the Congress, it is projected that our national debt will double in 5 years and triple in 10 years. Think about that. Take all of the debt that was borrowed in the history of this country, from George Washington to George W. Bush, and that debt is going to be doubled in 5 years and tripled in 10 years. That is unsustainable. We have to think about future generations.

States do need help to replenish their Federal unemployment insurance fund. They do need that help. We recognize

that. But let's do this in a way where we are not borrowing more money from our children's future. That is really what this is about.

We had the former Fed Chairman, Alan Greenspan, talking to our conference at lunch a couple of weeks ago. One of the things he talked about and one of his big fears is that the United States is borrowing too much money and that can be a future threat to our economy in the form of inflation. If we get to the point where other countries decide not to loan us this money anymore—if they quit buying our Treasury bills, in other words—our economy falls off a cliff. We don't want to get to that point.

That is why we need to start taking small steps, which can lead to larger steps on being fiscally responsible in this country. We hear Senators from both sides of the aisle get up and talk all the time about being fiscally responsible. Yet every time we have a small proposal that shows fiscal responsibility around here, it is rejected: We can't do that now. We can't do that with this program. The stimulus program is off limits.

Even though a large amount of the stimulus isn't going to be spent for a long time, it was originally supposed to help our economy this year. And the Senator from Illinois just said the economy is recovering. There are signs the recession is slowing down; however, this looks as if this is going to be a completely jobless recovery. That is not what the stimulus bill was supposed to be about. It was supposed to be about creating jobs.

We had alternatives, actually, that would have created jobs, that would have helped the housing industry. The housing industry was the part of our economy that drug the rest of the economy down. So we thought we should have fixed housing before we started putting money into all these other projects and all these other government programs. That was rejected by the Democratic majority, unfortunately. I still believe we need to help the housing industry.

Senator JOHNNY ISAKSON from Georgia has a good proposal—to give a \$15,000 tax credit to anyone who would buy a home. In my State of Nevada, the housing market is still devastated. We have huge foreclosure rates. We have a large amount of inventory to sell out there. The housing market is starting to turn around in some of the other States, but it still has a long way to go, and we could really help the housing market.

The bottom line is that we need to be more fiscally responsible to future generations. My amendment today is just taking a small step toward that.

My dad used to tell me all the time when I was growing up: You have to watch the small amounts of money. He used to say: If you watch the \$20 bills, the large amounts of money will take care of themselves. Well, let's start watching the small amounts. I know

\$7.3 billion is not a small amount of money, but around here, it is. Let's start watching at least these amounts of money so that when we are talking about the \$1.8 trillion deficits, we can start taking care of that and we can start being fiscally responsible to future generations.

I urge my colleagues to support this commonsense amendment. I think the Vitter amendment is the right direction to go as well. This is something we need to do for future generations.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Madam President, I rise to speak against the Ensign amendment, and I want to explain why, so I will take my time off that discussion and retain the remainder of my time on the other amendments.

Let me say that Senator ENSIGN has come to the floor and he wants to talk about fiscal responsibility. I welcome that debate. He blames the Democrats for not doing anything to help us get a handle on deficits and debt. But let's go back to recent history—not ancient history, recent history.

Bill Clinton left the White House in the year 2000, and we had a budget surplus. That was very hard to get to, but we Democrats did it with him and with the help of some of our Republicans. We had a debt practically eliminated. It was on the way down. And I remember discussions about what do we do when we have no more Treasuries to buy.

Then we had George Bush elected, and we had the Republicans supporting him. In a nanosecond, the whole table turned. We went from budget surpluses as far as the eye could see to deficits as far as the eye could see. We went from a debt that was going to be extinguished to a debt that began climbing.

As a result of these policies, there was a call for change in this country. We had more Democrats elected. We have a Democratic President, and he inherited one giant mess. The chickens came home to roost.

So our President said to the Nation: I am going to do everything I can to get out of this economic mess. Help me. Help me pass a bill that will put people to work. He said: I know it is going to be hard. I know it is going to take time, but we need to do this because of the recession. And if we don't get out of this recession, we are not going to be able to attack the problem of deficit and debt.

Anyone who knows President Obama knows that when he was a Senator, he was always conscious of our fiscal issues and distressed about the course we had been on for the last 8 years.

So here is what happens. We are 4 months into the economic recovery package. I have been to places in California, I have seen people getting those jobs—highway jobs, water infrastructure jobs, cleaning up Superfund sites, restoring our wildlife refuges. Those are just some examples of the jobs. And

we know, according to Vice President BIDEN, that about 25 percent of those funds have been obligated.

Senator VITTER came down here and said nothing is working; we are not getting those jobs out there. Let's go in and cut that stimulus program—put a dagger in its heart is what they want to do, when it isn't necessary to do so.

The Congressional Budget Office, as I have said—and I have put into the Record—tells us the bill the House sent us does nothing to increase the deficit. As a matter of fact, it is a small benefit to the deficit over 10 years. They figure it is about \$40 million—not much, but it doesn't produce more deficits.

So they come to the floor and they are arguing the House bill at the desk causes deficits when the Congressional Budget Office says, after they had done a study, absolutely not. They still insist it does. Fine. They do not agree with the CBO.

By the way, they do agree with the CBO when the CBO says there are costs to health care reform. Then they embrace the CBO. But now they can't because it doesn't fit their political rhetoric.

So all I can say is, if you take all these amendments—and, look, I don't think they are meant to be mean-spirited. I think they are honest in their approach. They do not like the fact that we passed the stimulus bill. They do not believe in it, even though a few of them on the other side—a few of them—have gone to see some of the projects that are putting their own people to work. A few have done that. I find that a little disingenuous, but that is their choice.

Their argument just doesn't hold up. Look, if we take the funding out of the stimulus, we put at risk \$10 billion of highway-related jobs. We put at risk millions of dollars that would otherwise be paid to our construction industry. We put at risk very important construction projects at military bases, long overdue Superfund cleanups, the creation of clean energy jobs in the future, improvements to outdated rural water systems. Why would we want to do this—Why, in the middle of a recession, when we have come up with a way to handle this that does not add to our deficit?

On the highway trust fund, Democrats and Republicans in the Senate agree we ought to do an 18-month extension. On that part of the Vitter amendment, you will find me on his side, but not to take the funds out of the unspent stimulus money that is on the ground and putting people to work and will continue to do so. It has only been 4 months since the funding has started to get out the door. Have a little patience. You know, for 8 years we saw the economy turn into a bad way. For 8 years, we saw this economy turning bad. For 8 years, we saw the recession building. For 8 years, we saw the deficit building. For 8 years, we saw the debt building. It is not going to

take 4 or 5 months to turn this around. And why would we put a dagger in the heart of job creation at this point, no matter how noble the effort?

I believe it is very important that we don't play games with this bill that is at the desk. For example, Senator BOND is going to offer a very good amendment. It has nothing to do with cutting the stimulus; it just corrects a real problem, and it restores funding to the trust fund. He is absolutely right on that, and I absolutely will support his amendment. But here is the thing. We have until September 30 to make that fix, when we have to reauthorize the program. This is just a financial transfer into the fund. September 30, we need to actually reauthorize the highway bill. We take care of Senator BOND. But the reason I cannot support it is, as he well knows, the House has stated—and I do not agree with their attitude, I don't agree with it but they have stated—this is it. We are giving you this quick influx of funds, and we do not want to have it come back with amendments.

We can put off the Bond amendment. We have time to deal with it. I praise Senator BOND for continuing to raise this matter before us because we do have to take care of it. Let's just get it straight. When people come down to this floor and rail against deficits and rail against the debt, just remember that little simple piece of history that is documented, that President Clinton left President George W. Bush a surplus as far as the eye could see and a debt going down. Now the other side of the aisle claims our President is not moving fast enough on all these fronts. Let me assure my colleagues our President cares a lot about the financial future of this country. He has two little kids. He knows exactly what their burden is. I do not believe that fiscal responsibility belongs to the other party because it was our party, under Bill Clinton, that got this country in the best financial shape it was in for decades. It only took a few short years to see all that go out the window.

Let's not lecture each other. If they continue to do it, I will just continue to bring up the facts. But, again, I see Senator BOND is here. I am going to repeat what I said before he got here. I complimented the good Senator because I think he is totally right on his amendment. However, I do know if it is attached to this bill what will happen because the House has told us. They will not take up the replenishment. We risk the highway trust fund running out of funds. I personally will work with the Senator from Missouri and my colleague, Senator INHOFE, to make sure the Bond amendment is part of the reauthorization which we will have to do in September. But I thank him because he perseveres. He brings it up all the time, and it is good that he does so. I support exactly what he is trying to do, but the timing, unfortunately, would undermine the replenishment of the trust fund.

I yield the floor and retain the remainder of my time.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. INHOFE. Madam President, as the ranking member of the committee, first of all, while I love the chairman dearly, she is dead wrong on all the information she just gave you. Let me go over that briefly.

First of all, on the Clinton administration. Let's keep in mind that even then-Vice President Al Gore admitted they had a recession coming at that time and that reduced the amount of money that was coming in to run the government. We all know that is basic economics. We also know during the 8 Clinton years he downgraded the military by 40 percent—not 10 percent or 15 percent. I will never forget the euphoric attitude: The Cold War is over now; we don't need a defense any longer. We cut down our end strength and our modernization program and all of a sudden 9/11 came and we were in the middle of fighting a war with a military that was downgraded by the President. Obviously, it took a lot of money to bring us out.

I would say on behalf of President Bush that was a tough situation, but he grabbed hold of it. Yes, we had to spend more money at the time, but he had to rebuild what was torn down during the Clinton years.

One word about the Vitter and Ensign amendments. They are both good amendments, and all they are doing is what I thought the chairman of our committee joined me in wanting to do back when we were considering the stimulus bill, the \$789 billion bill. Only 3.5 percent of that went to roads and highways and bridges. That would really have stimulated the economy. I had an amendment cosponsored by the chairman, Chairman BOXER. We were unable to get it passed. That would have turned this into a real stimulus bill. Frankly, we would not be here today if we had been successful doing that.

Look, 67 percent of that \$789 billion is unobligated today. What better use could there be than using that for construction, for getting into something where we can actually stimulate the economy? This has to be done. Our roads, our highways, our bridges are in deplorable condition. Our chairman and I agree on that. We want a robust reauthorization bill. But in the meantime, to be able to take some of the money that is in the stimulus bill that doesn't stimulate anything—we are not talking about taking away from military construction. I am the second ranking member on the Armed Services Committee. I wouldn't tolerate that. That is already in there. But the unobligated funds amount to about 67 percent or about over \$400 billion of the stimulus bill.

I am going to strongly support—in fact, I recommended to both Senators Vitter and Ensign—that this is a good place to find the money we have to find in order to rebuild our system.

I have to say something about the Bond amendment because I will have to leave the floor in just a minute. I am fully supportive of the amendment. The rescission is bad for every State and bad for the highway program. This amendment corrects an accounting provision in SAFETEA that removes \$8.7 billion of what was supposed to be unneeded contract authority.

I think the rescission was not intended to have the real funding impacts on the States, but the provision in the Energy Independence and Security Act of 2007 changed how the rescission was to be implemented. Now States stand to lose about \$400 million of real money.

Madam President, \$40 million of that \$400 million comes from Oklahoma. Right now the Oklahoma secretary of transportation, Gary Ridley—and I believe he is the best secretary of transportation anywhere in the Nation—recently told me my State will be forced to cancel \$40 million in projects that were supposed to begin this year. For this reason, this amendment cannot be put off. We have to pass it now; otherwise, States will have to cut planned projects in anticipation of this rescission.

Some are arguing this amendment would somehow endanger the passage of the trust fund rescue. I flatly reject this argument. The other body is still in session. Right now they are over there, and we should not bow to its whims. This is not just a Senate problem to fix. The House has a responsibility to address it too.

As I stated earlier, the House is still in session and they can take a few extra hours before their adjourning to pass a highway fix bill with the Bond rescission language in it. It is ludicrous to talk about infrastructure spending being an ingredient in creating jobs on one hand and on the other hand allowing \$8.7 billion in contract authority to disappear.

I urge my colleagues to support all three of these amendments.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri is recognized.

AMENDMENT NO. 1904

Mr. BOND. Madam President, I thank the ranking member, Senator INHOFE, for his support of the amendment. I thank the Chair for her kind words, even though we disagree. We, all three of us, strongly support the need to get highway funds moving to build the infrastructure we need in our transportation. This is a critical time.

Right now our economy is struggling to recover from the worst recession in generations; hard-working Americans in my home State of Missouri and across the nation are losing their jobs; and our states are straining to fund projects that are critical to our constituents. Unfortunately, unless we act now, our economy, workers, and our States will be dealt another heavy blow.

At the end of September, millions will be cut in on-going, shovel ready

highway projects. That does not have to happen. This drastic cut will halt critical transportation projects—like the repair of highways and bridges—across the Nation. In addition to halting critical infrastructure projects, this cut will cost jobs in all 50 States.

My amendment is the action we must take now to protect our struggling economy and protect jobs from this dangerous rescission. This amendment will protect our economy and workers by eliminating the \$8.7 billion rescission of contract authority mandated in the last highway bill—SAFETEA LU—for September 30, 2009.

The reason for repealing this dangerous cut now is simple. We should not be giving money to States for infrastructure, jobs and economic growth with one hand and on September 30 taking money away with the other. This contradictory action just doesn't make any sense and runs counter to our own efforts to improve our Nation's infrastructure.

According to our State departments of transportation, rescinding contract authority can limit our state's ability to fund their priorities and operate their programs as efficiently as possible. There are real world consequences for our States if we continue with these rescissions. The most obvious consequence will be a halt to much needed improvements to our Nation's infrastructure.

I don't think I need to remind people of the state of our infrastructure around this country. If I do, then you simply aren't paying attention.

We are beginning to burst at the seams, our vehicle miles traveled remain at historic highs, congestion rates are up with more and more people sitting in traffic next to trucks carrying products to and from businesses across the Nation. Our deteriorating infrastructure is a real problem and it is taking an economic toll at a time when we simply cannot afford more burdens on our system. Unfortunately, the real world consequences of this dangerous cut will be hardest on workers and families. The Missouri Department of Transportation estimates that this rescission would mean about \$201 million in lost projects and countless pink slips in Missouri. Missouri is not alone. The numbers for other States are startling: California, \$793 million; Pennsylvania, \$404 million; New York, \$406 million; Maryland, \$140 million. But most importantly, behind these numbers there are jobs. The American Association of State Highway and Transportation Officials estimates that for every billion dollars rescinded, our States will miss out on nearly 33,000 jobs.

If Senators were to contact their State's department of transportation they would quickly understand the full impact this rescission would have back at home. I urge my colleagues to do that before voting.

In fact, let's hear from some State DOT directors on the real effect this recession will have back at home.

Colorado Director of Transportation Russell George stated that the upcoming \$8.7 billion rescission will cost the State \$98.7 billion: that could have otherwise been obligated and out the door helping to employ hard working Coloradoans and providing important infrastructure projects to the State. This real dollar cut is about 20 percent of the total federal funds Colorado receives each year.

The Department of Transportation director in Nevada, Susan Martinovich, said that the upcoming rescission of \$61 million represents 25 percent of the State's annual \$236 million Federal aid allocation and that she would be forced to cancel \$48 million of projects that are already under construction, having a "devastating effect" on workers.

We have kicked the can down the road on this rescission for far too long.

Right now, with this amendment, is our last opportunity to do what is best for our economy, American workers, and our States by repealing this rescission. I know that I don't want to go back to my State having voted against so many jobs for Missouri.

Repealing this rescission will allow States to continue to move forward to meet our infrastructure needs and to create the jobs that struggling families and this economy so desperately needs.

I also have a letter of support from Americans for Transportation Mobility. I ask unanimous consent it be printed in the RECORD.

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

FASTERBETTERSAFER, AMERICANS FOR TRANSPORTATION MOBILITY.

Washington, DC, July 30, 2009.

TO THE MEMBERS OF THE UNITED STATES SENATE: The Americans for Transportation Mobility (ATM) coalition strongly urges you to pass H.R. 3357, which would address the looming shortfall in the Highway Trust Fund, and make highway and public transportation reauthorization a top Congressional priority during the remainder of the year. The coalition also supports the Bond amendment, which would repeal the rescission of \$8.708 billion in highway contract apportionment to states scheduled to take effect on September 30, 2009.

The 2005 highway and transit reauthorization legislation, the "Safe, Accountable, Flexible, Efficient, Transportation Equity Act: a Legacy for Users" (SAFETEA-LU), which expires at the end of September, guaranteed at least \$223 billion for federal highway program investments through fiscal year 2009. This investment level was predicated on a forecast of anticipated revenues collected for the Highway Trust Fund's Highway Account over the life of SAFETEA-LU. Unfortunately, the Highway Account is expected to run short of cash to liquidate obligations sometime in the next few weeks.

To avert the imminent crisis, Congress should provide revenue to support the Highway account expeditiously. H.R. 3357 would achieve this by transferring \$7 billion from the general fund of the Treasury to the Highway Trust Fund's Highway Account. This measure would provide states and localities with needed continuity in federal reimbursements to ensure infrastructure efforts around the country do not come to a screeching halt.

While H.R. 3357 is critical to supporting ongoing infrastructure efforts, it is only a

short-term solution to an imminent crisis. Continued bailouts for the Highway Trust Fund are hardly a sustainable approach to the nation's infrastructure investment needs. Congress must develop a comprehensive, long-term solution to ensure the platform of our economy is sound.

The "user fee" system has been in place since 1956 when Congress dedicated the gas tax to pay for construction of the Interstate Highway System. This system and the Highway Trust Fund have been a stable source of funding for decades and have offered states and localities the predictability and consistency necessary for capital investment. Additional revenue will be needed to sustain this system and fuel taxes are currently the simplest, fairest, and most effective way to fund surface transportation infrastructure investment. Capital investment requires capital, and there is no alternative for the systemic funding needed at the federal level.

The Coalition strongly urges you to pass H.R. 3357 to address the imminent shortfall in the Highway Trust Fund and support the Bond amendment to repeal the looming rescission. Congress must make highway and public transportation reauthorization the national priority it should be to ensure long-term stability in national infrastructure planning and investment.

Sincerely,

AMERICANS FOR TRANSPORTATION MOBILITY.

Mr. BOND. For the RECORD, this is composed of the American Public Transportation Association; American Road and Transportation Builders Association; Associated Equipment Distributors; Association of Equipment Manufacturers; Associated General Contractors; American Society of Civil Engineers; International Union of Operating Engineers; Laborers International Union of North America; National Asphalt Pavement Association; National Stone, Sand and Gravel Association; United Brotherhood of Carpenters and Joiners of America; and the U.S. Chamber of Commerce.

Madam President, our distinguished chairman of the committee has said if this bill is amended, it will fail because the House of Representatives may not take it. But as the ranking member pointed out, they are still in session. If we believe this is right, accept the Bond amendment, pass this bill as amended, send it to the House, give them the chance to do what is right. Our job is to make sure we get this business right before we go home on August recess.

If the House refuses to take it, they will have to go home and spend all next week explaining why they are at home instead of having passed a bill that could have had workers on highway and bridge projects working at home. They should be asked, if they go home, if they refuse to pass it: Why did you leave early? The Senate is still in session. You could have stayed there and gotten rid of the rescission that will cut jobs.

There is, I guess, going to be a Budget Act point of order raised against this bill. I will, of course, ask to waive the Budget Act point of order. I would note that if you are going to take budget points of order seriously, this whole bill could be challenged on a

Budget Act point of order. I will not do that because I want to see this done.

But let's be clear: This so-called money for this bill comes in from going back and assuming interest was paid on the intergovernmental transfers. We do not do that. That is totally bogus. That is a pencil-whipping trick that I do not believe anybody would honestly score.

That is the problem with the whole bill itself, not just with my amendment. If you want to be serious about paying for this bill, and my amendment, the Vitter amendment, it is very simple: We can rescind a small amount of money, a small portion of the stimulus bill that was passed, and less than only 10 percent has been used. That money we can use to put people to work on shovel-ready projects, make sure the work goes on that otherwise would be cut off by an artificial September 30 date.

I hope my colleagues will support the waiver of the point of order on the budget amendment. Because if you do not, quite simply, to put it in terms we are using every day, if we fail to repeal the rescission, we will be taking the shovels out of hands of workers ready to go to work on shovel-ready projects. That is not something I wish to go home and explain to the people of my State. I do not think Senators and Members of the House would want to go home and explain to the people or the constituents in their areas that they represent.

I call up my amendment.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Missouri [Mr. BOND] proposes an amendment numbered 1904.

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

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

The amendment is as follows:

(Purpose: To repeal a certain provision of the SAFETEA-LU)

At the appropriate place, insert the following:

SEC. \_\_\_\_\_. RESCISSON OF UNOBLIGATED BALANCES.

Section 10212 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1937) is repealed.

Mr. LEVIN. Madam President, I support repealing the rescission contained in the SAFETEA-LU bill that requires that on September 30, 2009, \$8.7 billion of apportioned contract authority provided to States for investment in infrastructure be rescinded. This is important to Michigan and all the other States across the Nation that cannot afford to have Federal infrastructure funding cut at a time of severe funding constraints. I will work to repeal this rescission so Michigan and other States do not lose these needed Federal transportation funds.

Based on the assurances of the chairman of the Senate Environment and

Public Works Committee that this will be corrected before September 30 and the extremely time sensitive nature of the underlying bill, I will oppose the motion to waive the Budget Act with respect to the Bond amendment to this bill. H.R. 3357 restores funding to the highway trust fund to keep it solvent through September. With the House of Representatives scheduled to adjourn tomorrow any Senate amendment to H.R. 3357 would require that it be sent back to the House, likely killing this important bill. We cannot risk letting the highway trust fund run out of funds.

I will work with the chairman of the Senate Environment and Public Works Committee to repeal the SAFETEA-LU rescission as part of the bill to extend SAFETEA-LU programs for 18 months.

Ms. STABENOW. Madam President, I support rescinding section 10212 of the Safe Accountable, Flexible, Efficient, Transportation Equity Act: A Legacy for Users. Section 10212 will rescind apportioned contract authority for States for infrastructure investment on September 30, 2009. If section 10212 goes into effect, my State could lose up to \$100 million in transportation funds this year alone. While I support the intent of amendment No. 1904, offered by my colleague, Senator BOND, to rescind section 10212 and maintain apportioned contract authority for States, I believe it is more important to follow the direction of Chairman BOXER and pass H.R. 3357 as a clean bill with no amendments. Providing funding for transportation, unemployment insurance, and housing programs included in H.R. 3357 are vital for the State of Michigan, and we must pass this bill quickly rather than delay it in a long conference process. I look forward to working with both Chairman BOXER, who is committed to resolving the problems surrounding section 10212, and with Senator BOND to address this problem in a timely manner.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Before Senator BOND leaves the floor, I wanted to thank him for his leadership on this issue. I wanted to assure him and all the people who support this amendment that this amendment will pass. It will not pass today, I do not think, for one main reason. We are fearful of playing these parliamentary games with the House on the highway trust fund.

We have until September 30 to address this issue. My friend is entirely correct, we must deal with this rescission. We have to repeal it and we are going to repeal it. I will work with him to do that.

I simply wished to say that on September 30, when we are faced with our next deadline, the entire bill has to be reauthorized. So it is not only this problem but many other issues have to be addressed. Again, I wish to state this: I am not happy the House sent us this very short extension.

I and I know my colleague wanted to see the highway trust fund extended

for 18 months. I think the places we differ have to do with how we pay for the extension. Senator VITTER and all my colleagues who are dealing with unemployment insurance and the rest want to cut funds out of the job-producing stimulus program. I think it is unnecessary.

I also would say to my colleagues who say we are borrowing and we are borrowing to do all this: Simply look at the CBO score which scores this as a positive. The House bill is scored as a positive because of some of the legislative changes in it. Again, I wish to be clear, I will work side by side with Senator BOND. We are going to reauthorize the highway bill. It might be for 18 months. Maybe we can get together and we can come up with a bill for 5 or 6 years. We have to find a funding source to do that. I hope we can. But we will deal with the Bond amendment. We have to deal with it. The Senator is exactly right—exactly right.

He talks about taking shovels away from workers. The only place I disagree with him is that I think you are taking shovels away from workers by cutting the stimulus. I visited my State. I see people being put to work.

As Vice President BIDEN said: We have only seen 25 percent of the stimulus money go out the door.

So I also wanted to ask unanimous consent when Senator McCAIN comes to the floor he wanted some time to speak on the Bond amendment. So I ask Senator McCAIN be given up to 15 minutes to speak on the Bond amendment.

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

Mrs. BOXER. I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. McCAIN. Madam President, I rise in opposition to the Bond amendment No. 1904, which if enacted would add another \$8.5 billion to the \$1.8 trillion deficit we are accumulating this year.

As many of my colleagues will recall, when Congress considered the Safe, Accountable, Flexible, Efficient Transportation Equity Act in 2005, the so-called SAFETEA Act, we included a section that required that \$8.543 billion of unobligated contract authority be rescinded on September 30, 2009.

The question, obviously, would arise: Why would we do such a thing, authorize money but then say it will be rescinded or cancelled? It was done for one simple reason; that is, because of the size of the bill it would have been subject to a point of order because it exceeded the budget.

By the way, I would remind my colleagues this was a \$223 billion bloated and earmarked highway bill. So appar-

ently it is not sufficient, in the minds of some, that we at least honor a commitment we made, which would have canceled about \$8.5 billion.

Please keep in mind it was a \$223 billion piece of legislation. Please keep in mind that earlier this year we passed a \$787 billion stimulus bill, that only 10 percent of the money has been spent, and only 1 percent of the \$787 billion stimulus has been spent on highway and infrastructure projects.

So we know there are many billions of dollars more that will be spent on highway and infrastructure projects out of the stimulus bill that has not been spent. Yet that does not seem to be enough, we need to add another \$8.5 billion.

I would point out that this amendment, the same amendment, was considered in the Senate Environment and Public Works Committee on July 15 and was defeated by a vote of 14 to 5.

Well, sometime we have to stop. You keep coming to the floor time after time and saying: At some point we have to consider our children and our grandchildren and the kind of debt they are inheriting. This is another \$8.5 billion which was not budgeted, which will add to the burgeoning debt America is staggering under and at a time when we know that tens of billions of dollars additional will be spent on highway and infrastructure.

It is almost sad to see this because it began with gimmickry in order that the bill on the floor at that time would not be subjected to a budget point of order, knowing there would be an attempt at some point to restore it, which is now being made.

In 2005, we were accumulating deficits but unlike anything we have experienced in the last several months and since the economy cratered back in September of last year.

I hope my colleagues will reject this amendment. It is unnecessary, unneeded, and unwanted. Frankly, it is another sign that we don't understand how serious the deficit problem is, that we are accumulating the biggest deficit since World War II as a percentage of our gross national product.

I hope my colleagues will vote against the amendment.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

#### AMENDMENT NO. 1905

Mr. REED. Madam President, I rise in opposition to the Ensign amendment. This amendment would fund the unemployment compensation trust fund by taking unobligated money from the recovery package. It is ironic that one of the major tools we are using to maintain employment and grow it is the recovery package. In

Rhode Island, our State used about \$200 million, which is a significant sum in their budget, to ensure they didn't have to lay off workers, which would have increased the demand on unemployment, and that they could maintain services. All of this is a result of the recovery package.

We are beginning to see the momentum pick up. For example, with respect to weatherization, Rhode Island initially received some funds, but then the bulk of the funds would be received based upon submission of their plan. The plan is underway. The State will see roughly \$20 million over the next several months to get people to work doing weatherization. Not only does this help the environment, it also provides employment, particularly for those most hard hit, the construction industry.

To take this money now and put it in the trust fund is counterintuitive and counterproductive. On those grounds alone, we have to seriously look at this amendment.

The other issue that should be mentioned, among several, is that CBO has indicated that this approach of moving funds in the underlying bill has no effect on their baseline. It is an intergovernmental transfer that the underlying legislation is proposing.

So this issue, again, is more of a comment, perhaps, on the recovery package than trying to effectively stem unemployment and to provide funds for those who are unemployed.

The issue of unemployment is probably the most significant one we face in the country, particularly in my home State. We know joblessness is rising. It is 12.4 percent in Rhode Island. Rhode Island and 18 other States have had to borrow \$12 billion to keep their State unemployment trust funds solvent. Rhode Island has borrowed more than \$80 million itself to cover unemployment costs, and over the next few months, they will draw on a line of credit of about \$40 million to keep paying these benefits, which are absolutely critical to families who have lost their jobs. If we don't, today, transfer these funds, as suggested in the underlying legislation, Rhode Island and many other States would be looking at a real crisis in which they would fail to be able to respond to this need for unemployment compensation.

On the merits of where the money comes from—i.e., the Recovery Act, which is the biggest tool we have that is trying to keep people working and employ more people—it doesn't make sense. And not making this transfer, as suggested by the underlying legislation, would imperil the State's ability to provide unemployment compensation in a labor market that is still very weak. We have to do more, and we also have to be more innovative in our approach to unemployment.

One of the things my State has done with its own resources is a work-share program. Rhode Island and 17 other States are using their resources to pro-

vide WorkShare, an effective program. Essentially, it allows an employer to cut back on the number of hours a worker is engaged, and that worker would qualify for what is basically a partial unemployment check—not the full check, so it doesn't put that much of a drain on the trust fund. Part of the conditions in Rhode Island is that the employer must maintain the benefits the workers enjoy. So it is really a win-win-win. First, people do not lose their health care because they must maintain the benefits. Second, they are still employed, so there is continuity of workers on the factory floor or in the office. Third, the pressure on the State trust fund is lessened.

One of the things that is particularly appropriate to mention when it comes to this program is that it provides a big bang for the buck. Mark Zandi, an economist who is well renowned, has indicated that for every dollar of funds we put in through the unemployment system, we get \$1.69 back. That makes sense. People who are getting these funds are using them right away. They are going into the economy with their other funds to buy food, to buy the necessities of life they need. This has a stimulus effect on the economy. That is another reason we have to move very aggressively.

But I would like to broaden this concept of WorkShare, which has been so effective in Rhode Island, to ensure we have a system that would provide some Federal support to those States that are engaged in work share programs. Again, it is not only a very efficient program, it is very popular with industry and business in Rhode Island.

I had the occasion to visit a Hope Global plant, and they have engaged in WorkShare. In fact, the number of companies in the State engaged in WorkShare has gone up dramatically, given the economic recession.

At this company, I listened to a woman who worked there with her husband, and they benefitted from this program. She said, point blank: Without it, we would have lost our health care and we would have lost our home.

So we can do more when it comes to flexibility and innovation with respect to unemployment. This also includes passing legislation immediately to extend unemployment insurance. Over half a million workers will exhaust their benefits by the end of September, and 1.5 million will run out of coverage by the end of the year. This is an extraordinary number of Americans, and we need to provide them the support of the unemployment system, particularly high unemployment States like Rhode Island.

Also, as I indicated before, this is a way in which we cannot only moderate the crisis of unemployment for families but also to stimulate our economy. In fact, in that sense, it complements the Recovery Act. To take away funds from the Recovery Act to place into the unemployment trust fund would blunt the overall macroeconomic stim-

ulus that we need to get this economy moving again.

The unemployment levels today are unacceptable, particularly in my State of Rhode Island. It is the No. 1 concern. Related to unemployment, for many people in my State, is the concomitant loss of their health care. So we have to move aggressively on health care reform also. But we have to act, and we can act, and we should act. I urge my colleagues to reject the Ensign amendment.

I yield the floor.

The PRESIDING OFFICER (Mr. UDALL of New Mexico). The Senator from Georgia.

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

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

(The remarks of Mr. CHAMBLISS are printed in today's RECORD under "Morning Business.")

Mr. CHAMBLISS. Mr. President, 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. COBURN. 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. COBURN. Mr. President, I am expecting Senator McCAIN on the Senate floor anytime, but I think I will begin.

The Government Accountability Office released a report yesterday that talked about the highway trust fund. What they noted is that over the last 4 years \$78 billion of that trust fund has been spent on things other than highways, bridges, and roads.

Some of the things it has been spent on nobody would have any question. But here we find ourselves—the second time in a year—trying to bail out the trust fund, and we are going to get to decide whether we are going to steal it from our kids or steal it from the stimulus bill, which will actually make it much more stimulative than the money that is there.

But we find ourselves in trouble. When this trust fund was first set up, it was set up during the Eisenhower administration. It was designed to build the Interstate Highway System and help us with roads and bridges and secondary roads and bridges throughout the country. What it has morphed into is that a large percentage of it now does not go for any of that.

So we find ourselves in the midst of a recession—with last year having high gas prices which depressed the money going into the fund, and with a recession now, with decreasing revenues going into the fund—and we have all these projects that we know are priorities for us that need to be fixed.

The other thing we learned from this report is that 13,000 people in this country a year die because of bad roads, bad bridges, and bad highways.

So it would seem to me the highway trust fund moneys ought to be spent to eliminate those 13,000 deaths, and the priority ought to be about roads, bridges, and highways.

I will put into the RECORD many other items where the money is spent. Ten percent is mandated for highway beautification. Well, I think that is great—if we do not have a trust fund that is broken, and we do not have 200,000 bridges in the country that structurally have some defect, 93,000 of which are seriously structurally defective. I think it is important that we turn our attention to priorities that will support that.

We are going to have a lot of votes on this today.

I am supportive of us doing what we need to do for the trust fund. I am also supportive of making sure the priorities of the trust funds are about bridges, roads, and highways. Because of what happened in Tulsa, OK, yesterday, we have a man in ICU. Somebody hit a bridge with a car, and he was driving under the bridge in another lane, and chunks of concrete fell through his windshield and seriously injured him. Our highway department knew we had a problem with that bridge—not going under it or over it, but the foundation was suspect in terms of the concrete underlying it, and the uprights. So the dollars that went to build a bicycle path and to plant flowers along the highways and the dollars that went to put in walking paths means that guy is in the hospital today because the dollars didn't go for what they were intended.

So when we have had \$78 billion over the last 4 years that didn't go for roads, highways, and bridges, and instead went for things that aren't going to enhance safety or help save 13,000 lives a year, America has to ask: What are your priorities?

I commend to my colleagues the GAO report: "Highway Trust Fund Expenditures on Purposes Other Than Construction and Maintenance of Highways and Bridges During Fiscal Years 2004–2008" on the GAO Web site at [www.GAO.gov](http://www.GAO.gov).

Mr. President, I make the point that as they look at this, there are important things for us to consider. We know that had we passed a better stimulus bill, we would be doing twice as much now in terms of fixing the real problems in this country in terms of transportation infrastructure. But we didn't. We passed a stimulus bill that created transfer payments on 70 percent of it, and 20 percent of it may be considered to be stimulative. So the hope is that, as we go forward—and we are going to bail this out—what we really need to do is, let's have our own money. In Oklahoma, we have never gotten 100 percent back. The highest was last year. When I came to Congress, we were getting back 74 cents out of every dollar. If we can keep that money, we can get more done with it than what we get done through the

trust fund now. That may be one solution to ultimately getting us out of this situation.

Mr. INHOFE. If the Senator will yield, it is a real problem we have here. I remember, up until about 5 years ago, our trust fund took care of our needs. The problem we had was not just the fact that as it goes up, the proceeds go down, but that we got involved in things that had nothing to do with transportation. It used to be bridges, transportation, and highways. It was adequate at that time, but the hitchhikers would say there is a big surplus, so let's tap into that, and now we have all these things having nothing to do with transportation.

Mr. McCAIN. Will the Senator yield?

Mr. COBURN. Yes, but first I have one other point.

In the last 20 years, we have built 25 transportation museums rather than the money going to highways. Remember the Minneapolis bridge that collapsed? We are putting money into museums, and I wonder if we are going to build a museum about the collapse of the bridge in Minneapolis. We are putting money into museums instead of making sure the roads and bridges—especially the bridges—are safe in this country. Our priorities are messed up, and the American people know that. Hopefully, we can redirect transportation dollars to true transportation projects, not to the aesthetics that we cannot afford now, even though they may be nice, and, No. 2, are causing additional deaths on our highways.

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

Mr. COBURN. Yes.

Mr. McCAIN. Couldn't it also be traced to earmarks and porkbarrel and "demonstration projects"? Couldn't it be traced to the fundamental fact that the 1982 highway bill included 10 demonstration projects totalling \$386 million? The 1987 bill had 152 porkbarrel projects, totaling \$1.4 billion. The 1991 bill had 538 locations with specific porkbarrel projects, totaling \$6.1 billion. The 1998 highway bill had 1,850 earmark projects, totaling \$9.3 billion, and then in 2005 had 5,634 earmark projects, totaling \$21.6 billion. How can anybody who calls himself or herself a fiscal conservative stand by and allow this kind of thing to happen?

And what happens? There was \$2.3 billion for landscaping enhancements along, of all places, the Ronald Reagan Freeway; \$480,000 to rehabilitate a historic warehouse along the Erie Canal; \$600,000 for the construction of horse-riding trails in Virginia; \$2.5 million for the Daniel Boone Wilderness Trail Corridor; \$400,000 to rehabilitate and redesign the Erie Canal Museum; \$400,000 for a jogging, bicycle, and trolley trail in Columbus, GA. How in the world can those things be justified and then expect our constituents not to rise up?

Mr. COBURN. The answer to the Senator's question is, they can't. There is no question that there are certain pri-

orities. What has happened is, as we try to address priorities for individual States, because the States don't get their money back—and there may be a great project in there, and along comes a lousy one.

I just make the point that we have our eye off the ball. The eye needs to go back. All you have to do is go read the story that happened in Tulsa, OK, yesterday. Had we been applying money to transportation instead of nontransportation through this trust fund, that gentleman probably would not be in the hospital today. A 700-pound piece of concrete fell through his windshield, trapping him in the car. We don't just have a problem of not enough money in the trust fund, our problem is that the money that goes out doesn't go for the real things the trust fund was designed to do in the first place.

I will restate, and then I will yield back. We have to do one of two things. Until this country gets out of the financial damage it is in, first, we have to make sure the money is spent on transportation projects, real transportation projects, to save some of those 13,000 who are being lost because we are not fixing roads, bridges, and highways. Second, let's eliminate the thing and let the States keep their money, and we will figure out how to spend it at home. In Oklahoma, we have never gotten a square deal yet.

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

Mr. COBURN. I am happy to.

Mr. McCAIN. Does the Senator know how much we are spending on highway and transportation projects in the stimulus, the \$78 billion stimulus bill?

Mr. COBURN. It could be around 4 or 5 percent. Senator INHOFE will know the answer to that.

Mr. INHOFE. The answer is 3.5 percent, and an additional 3.5 percent in military construction, totaling about 7 percent.

Mr. McCAIN. Does the ranking member know how much of that has been spent in dollars?

Mr. INHOFE. Sixty-seven percent has not been obligated, so 33 percent is obligated.

Mr. McCAIN. I thank the Senator.

Mr. COBURN. Let me add, also, that if you go to USA Spending.gov and to recovery.gov, you will find that as of last week—I don't know what it is this week—only \$78 billion of the whole stimulus package has actually been spent. More of it has been obligated but not actually spent. I think there is another \$150 billion obligated out of that. That is one of the reasons we are not seeing the effect of the stimulus. One, it is not going to stimulate things, and it is not getting to where we need it.

Mr. INHOFE. If the Senator will yield, that is another reason the Vitter amendment and Ensign amendment are good. You are talking about money that is out there, not recoverable. Let's try to direct it where we can get something from it. I had an amendment during the stimulus bill to try to triple

the amount of money that would go into actual construction, and they would not take it up.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

Mr. McCAIN. Mr. President, as Senator COBURN has just mentioned, we released a report today examining how the highway trust fund receipts have been used for projects other than road and bridge construction and maintenance over the past 5 years. It relies heavily on the new GAO analysis that was performed at our request on how we prioritize, or fail to prioritize, our Nation's transportation spending.

Again, I remind my colleagues that the GAO concluded that, over the last 5 years alone, we spent \$78 billion on projects other than road and bridge construction and maintenance. I will repeat that—\$78 billion on projects other than the construction and maintenance of roads and bridges.

Where did it go? According to GAO, over \$2 billion was spent on 5,547 projects for bike paths and pedestrian walkways. As one example, it identified a \$878,000 project for a pedestrian and bicycle bridge for a Minnesota town of 847 people. I don't know what that works out to be, but it works out to roughly \$1,000 per person. I would be interested to know how many inhabitants actually use that bridge. We all know about the "bridge to nowhere"; perhaps this is a "bridge for no one." Another \$850 million went for 2,272 "scenic beautification" and landscaping projects around the country, and \$84 million was spent on roadkill prevention, wildlife habitat connectivity, and highway runoff pollution mitigation projects. Yet another \$84 million went to 398 pedestrian and bicyclist safety projects. I don't mean to diminish safety, but do we really need to spend Federal dollars for brochures like the one we cited in our report that encouraged bicyclists to "make eye contact, smile, or wave to communicate with motorists. Courtesy and predictability are a key to safe cycling." Still another \$28 million went to the transportation museums, and \$215 million went to scenic or historic highway programs. The list goes on. I know Americans find these numbers as disturbing as I do. They should because they demonstrate that Congress is not focused on our Nation's transportation priorities.

We should not forget that 2 years ago, the I-35 West Bridge over the Mississippi River collapsed during rush hour, killing 13 and injuring 123 more of our fellow citizens. That tragedy exposed a nationwide problem of deficient bridges. According to the Department of Transportation, in 2008, of the Nation's 601,396 bridges, 151,394, or 25 percent, of our bridges were deficient. Over 71,000 of them had significant deterioration and reduced load-carrying capability, and almost 80,000 didn't meet current design standards. Yet we have been spending billions of dollars on bike paths, museums, landscaping, and roadkill-reduction programs.

Part and parcel of the problem, obviously, is the addiction to earmarks. As I mentioned before, the way the earmarks have grown, one of the standard arguments made by the earmarkers and porkbarrelers in Congress is that it has always been like this; we have always had congressional discretion because we know better than the bureaucrats where the taxpayers' money should go. Frankly, I agree that sometimes that is the case, if it competes with other programs, if it is scrutinized and authorized by the appropriate committees. But what we do is we earmark these porkbarrel projects, and many times—let's have a little straight talk, Mr. President—they are in return for campaign contributions, and we see corruption.

People are under investigation. Lobbyists' offices are being raided by the FBI. Again, I am not going to repeat what I said to the Senator from Oklahoma, but the 1982 highway bill had 10—count them—10 demonstration projects, and it was \$386 million; in 1987, \$1.4 billion; 1991, \$6.1 billion; 1998, we get up to 1,850, totaling \$9.3 billion; and 2005, 5,634 earmarked projects totaling \$21.6 billion of American taxpayers' dollars. That is where we find the bypasses and the beautification projects and the trails. And all those are earmarked by specific Members of Congress. Meanwhile, we have 25 percent of our bridges that are deficient and 71,000 of them have significant deterioration and reduced load-carrying capability and 80,000 that do not meet current design standards.

What are we going to say to the taxpayers of America if, God forbid—and I pray not—there is another bridge collapse? What do we say to them? That we took their tax dollars and built a museum instead of fixing their bridges and highways to ensure their safety?

Maybe—just maybe—if we had not spent \$21.6 billion on earmarked projects, maybe some of that money, just maybe some of that money might have gone to fix the design problems on the bridge over the Mississippi. Maybe not. Maybe we didn't know. I am not making a judgment here. But it seems to me that sooner or later, if you earmark as much as \$21.6 billion of the taxpayers' money for museums and bypasses and brochures, sooner or later the priority projects suffer.

Again, projects originally authorized under SAFETEA-LU, the 2005 highway bill, included \$3.2 billion for landscaping enhancements along the Ronald Reagan Freeway. I have often wondered how often Ronald Reagan turns over in his grave. I bet he was spinning on that one. Mr. President, \$480,000 to rehabilitate a historic warehouse along the Erie Canal; \$600,000 for the construction of horse riding trails in Virginia. You will notice all these projects are earmarked to a specific locality. That is what, among other things, they have in common. There is \$2.5 million for the Daniel Boone Wilderness Trail Corridor; \$400,000 to rehabilitate and

redesign the Erie Canal Museum; \$400,000 for jogging, bicycle, and trolley trails in Columbus, GA. The list goes on and on.

No one thinks our Nation should be without flowers, ferries, bike paths, and boat museums. But today we have to make some choices about priorities and how we spend limited resources.

This has to be considered in the backdrop of this year a \$1.8 trillion deficit, the largest in the history of this country since World War II. There is no end in sight. It is almost overwhelming, a \$1.8 trillion deficit this year. But what is worse, there is no way out. No one knows of a plan to bring us to a balanced budget without fundamental reform of Medicare and Social Security. Here before us on health care reform, we see another trillion dollars piled on that.

When are we going to decide we cannot afford taxpayers' dollars to rehabilitate and redesign museums, for trails, for beautification and landscaping enhancements when we have other priorities on transportation that have to do with the safety of our citizens?

I thank the Senator from Oklahoma for his continued advocacy for the taxpayers of America. I thank him for all the efforts he makes. I regret that neither he nor I will be elected Miss Congeniality in the Senate again this year. But I also believe the American people are beginning to wake up, and they are beginning to get angry. We saw this in the tea parties that took place all over this country. I hear it and see it in response to my Twitters. Over 1 million people now follow my Twitters and my tweets. They are very interested in this. We are going to post all these. We are going to let the American people know where their dollars have gone.

I urge my colleagues, let's, for once, catch up with the American people and start becoming fiscally conservative. One of the best ways we can be careful stewards of their tax dollars is to make sure we place as our highest priority their safety as they travel the highways and cross the bridges of the United States of America.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama is recognized.

Mr. SESSIONS. Mr. President, what is the time remaining on this side?

The PRESIDING OFFICER. On the Vitter amendment, 9 minutes is remaining.

Mr. McCAIN. If the Senator will yield, so I may make a unanimous consent request, I ask unanimous consent to have printed in the RECORD the Introduction and Conclusion of a report entitled "Out of Gas: Congress Raids the Highway Trust Fund for Pet Projects While Bridges and Roads Crumble" by Senator COBURN and myself.

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

#### INTRODUCTION

One of the many recent government bailouts consisted of \$8 billion for the bankrupt

Highway Trust Fund (HTF)—a fund set up to support, through federal gasoline and other taxes, all federal transportation programs and projects.

However, the \$8 billion did not solve the problem. The Highway Trust Fund will go bankrupt (again) by the end of August 2009 unless Congress bails it out (again). This week the U.S. House of Representatives voted to spend \$7 billion of taxpayers' money, just to keep the Fund temporarily afloat, and the U.S. Senate is poised to do the same. Mere months ago, Congress provided over \$27 billion for highway and infrastructure projects as part of the American Recovery and Reinvestment Act of 2009.

Yet billion-dollar government bailouts are not the solution to protect our nation's infrastructure. Congress must begin by re-prioritizing funds.

Flowers, bike paths, and even road-kill reduction programs, are just some of the many examples of extraneous expenditures (some of which are legally required) funded by Congress through federal transportation bills. Many of these projects are funded as earmarks, while others are born from legislators turning their private passions into public programs. Congress instead should allow states greater flexibility to allocate their highway dollars to their most pressing transportation needs. If Congress fails to re-prioritize transportation spending, then crumbling bridges, congested highways, and poor road conditions will continue to deteriorate much to the detriment of all Americans.

Congress must also curb its addiction to earmarking and setting aside transportation funding for legislators' pet projects and programs. If history is any guide, though, the next highway bill will not be earmark free. Congress has increased significantly the earmarking of federal highway funding:

The 1982 highway bill included 10 demonstration projects totaling \$386 million;

The 1987 highway bill included 152 demonstration projects totaling \$1.4 billion;

The 1991 highway bill included 538 location-specific projects totaling \$6.1 billion;

The 1998 highway bill included 1,850 earmarked projects totaling \$9.3 billion; and

The 2005 highway bill included over 5,634 earmarked projects totaling \$21.6 billion.

#### GAO RELEASES NEW REPORT

A new U.S. Government Accountability Office (GAO) report, compiled at the request of Senators Tom Coburn and John McCain, details how the U.S. Department of Transportation (DOT) has obligated \$78 billion over the last five years for "purposes other than construction and maintenance of highways and bridges." This \$78 billion figure does not fully capture how much has been promised, or authorized, by Congress over the last five years for these "other purposes," it just reflects how much has been released for spending, or obligated, so far.

The \$78 billion, five-year total for obligated expenditures for non-highway, non-bridge construction or maintenance projects includes:

Over \$2 billion on 5,547 projects for bike paths and pedestrian walkways and facilities;

\$850 million for 2,772 "scenic beautification" and landscaping projects;

\$488 million for behavioral research;

\$313 million for safety belt performance grants;

\$224 million for 366 projects to rehabilitate and operate historic transportation buildings, structures, and facilities;

\$215 million for 859 projects under scenic or historic highway programs;

\$121 million on 63 projects for ferryboats and ferry terminal facilities;

\$110 million for occupant protection incentive grants;

\$84 million for 398 projects for safety and education of pedestrians and bicyclists;

\$84 million for 213 road-kill prevention, wildlife habitat connectivity, and highway runoff pollution mitigation projects;

\$28 million to establish 55 transportation museums;

\$19 million for 25 projects to control and remove outdoor advertising;

\$18 million for motorcyclist safety grants; and

\$13 million on 50 projects for youth conservation service.

While some of these expenditures may merit funding, periodic congressional review is essential to determine if all merit continued funding, if measurable outcomes are demonstrating their success, and if their goals could be accomplished with fewer dollars.

Upon review, Congress may find some of these expenditures are unnecessary luxuries and others—such as establishing new transportation museums—simply cannot be justified while the Highway Trust Fund has insufficient funds for repairing dangerous roads and bridges.

#### RE-EXAMINE BEFORE REFILLING

As Congress debates "refilling" (by deficit spending) the soon-to-be-empty Highway Trust Fund, it should first look at ways to re-prioritize areas of current spending that may not reflect the realities of a decaying national transportation infrastructure. Many politicians are quick to defend spending millions in federal funds on their districts' bike paths, transportation museums, road-side flowers, and even the "bridge to nowhere." Yet, Congress needs to evaluate whether such projects merit federal funding in light of our current trillion-dollar deficit, the economic downturn, and the realities of a collapsing transportation infrastructure that literally is costing American lives.

#### THE STATUS QUO WILL NOT WORK

Critics of the GAO report and this report will claim these examples are but a small portion of overall transportation spending and do not begin to address the long-term Trust Fund shortfall.

Yet, we cannot continue to spend \$78 billion in areas other than crucial road and bridge construction and maintenance and beg Congress to steal from our nation's children and grandchildren when the Highway Trust Fund runs dry. We cannot spend hundreds of millions of tax dollars to renovate "historic facilities" such as gas stations and then complain that history will look poorly on a nation that lets its vital interstate transportation system fall into disrepair.

We should not force states to spend approximately 10 percent of all their surface transportation program funds on "enhancement" projects like landscaping, bicycle safety, and transportation museums, when fixing a bridge or repairing a road would be a more practical and necessary use of these limited funds.

We have asked individuals and families across the country to examine their own budgets and start spending more responsibly. We should expect nothing less of our nation's leaders in Congress.

TOM COBURN.  
JOHN McCAIN.  
U.S. Senators.

#### CONCLUSION

Our country is literally running on empty. Future generations of Americans will inherit a multi-trillion dollar debt because Washington politicians have long relied on reckless borrowing to finance their wish lists of pet projects and programs. There seems to be

no crisis facing our nation that Washington politicians believe borrowing or bailouts cannot solve.

Now the politicians want to be trusted with yet another bailout, this time of The Highway Trust Fund. Politicians will not make tough choices, so taxpayers must begin demanding them.

The choices faced today with the Highway Trust Fund are:

What is the best way to spend Highway Trust Funds: Is it to make roadways and bridges more scenic, or more safe?

What is the best way to pay for our nation's infrastructure needs: Is it to raise taxes on gasoline, borrow more money for yet another government bailout, or reduce spending on non-essential projects that do not strengthen roads or bridges?

GAO reports our nation obligated \$78 billion over five years to projects other than crucial bridge and highway maintenance and repair. Now, Congress is being asked to borrow \$7 billion from general tax revenues to only temporarily refill the Highway Trust Fund.

No one is saying our nation should be without flowers and ferries or bike paths and boat museums. But today's choices must be about priorities. Should those priorities include spending millions on programs that tell bikers to smile and making states use funds for the safety of their turtles instead of the safety of their citizens?

At a minimum, states should be given the flexibility to opt out of the federal Transportation Enhancement funding requirement.

The shortfall in the Highway Trust Fund could also be addressed without further deficit spending by shifting unused funds from the American Recovery and Reinvestment Act of 2009. Transferring unspent stimulus funds to ensure the Highway Trust Fund remains solvent would be consistent with a stated purpose of the Act to improve our transportation infrastructure to support job growth.

Congress should walk the fiscally responsible path. Each chamber should implement a moratorium on all transportation-related earmarks for the remainder of the 111th Congress.

Washington politicians should be required to sit down with the new GAO report, the transportation bailout request, and our red pens. From there, crossing out extraneous transportation spending should be our first priority. Lives depend on it.

Mr. McCAIN. I thank my colleague from Alabama.

Mr. SESSIONS. Mr. President, while Senator McCAIN is here, we were talking about the amount of money the government has spent. We talked about how a third of the money has been obligated from this stimulus package. But I advise, according to the CBO report in June, they only expected 11 percent of the money to actually be disbursed by the end of this year, at least the money that deals with highways, mass transit, and issues of that kind. That is stunningly low because we were told something quite different.

This Vitter amendment is exactly the kind of thing we need to be doing every single day: try to challenge the conventional thinking to figure out how we can deal with a need today without increasing America's debt.

What Senator VITTER says is when we passed this \$800 billion stimulus package in January, nobody had a chance to read it. We were told repeatedly—and

the President himself said more than once—it was to build infrastructure, to complete highways, roads, and bridges. That is what the money was going to be for. He said in February: They are not going to be make-work jobs but jobs doing the work Americans desperately need done, jobs rebuilding our crumbling roads and bridges, and jobs repairing our dangerously deficient dams and levees so we won't face another Katrina.

I am not sure Congress can stop another Katrina from coming, but we can perhaps be better prepared for it. But what a lot of people do not know, is that less than 4 percent of the money in that bill was directed for highways and bridges. It was a game, a political trick, because the American people believe that when you need to create jobs, you might as well build something that is permanent, that will benefit the people for years to come and that creates real jobs. In their minds, I think most people envisioned stepping up our road projects. But only, as I said, 4 percent of the entire package went for that purpose.

Now we have a lot of that money not spent. Apparently, 89 percent will not be spent by the end of this fiscal year. Some of it is not obligated at all. We have a shortage in the foundational highway trust fund bill, and we need to come up with \$27 billion. So which do we do? Do we take some of the money that was in the stimulus package that we were told was to be for roads and bridges and use that money and not increase the deficit because that money is already showing up as a hit to the U.S. Treasury or does the money come from some other source that will increase the debt by \$27 billion?

The only reason not to oppose this, that I can see, is some people have already spent this \$27 billion in their own minds. They don't want to see it utilized for this purpose, and they are undermining our ability to do so. We have a national crisis.

Let me show this chart. It is so stunning that people don't believe it, but it is based on the budget that President Obama submitted, his 10-year budget. It was analyzed by the Congressional Budget Office, our own group here who has a good reputation. Basically, the Director is elected by a Democratic majority in the Congress, and this is what they show about our deficit.

We have to stop doing this. We cannot sustain a deficit.

In 2008, the debt was \$5.8 trillion. The debt of the United States, since the founding of the American Republic, was \$5.8 trillion. In 5 years, according to the CBO, by following this budget, counting this stimulus package but not even counting the trillion dollar health care proposal and other things that might get added to it, they scored that in 5 years, the debt would be \$11.8 trillion—double. In 5 more years, taking it to 10 years, the debt would triple to \$17.3 trillion. This is the entire debt of the United States of America since the

founding of the Republic—it will triple in 10 years. It is unacceptable. We cannot sustain this.

Let me show this chart. Trillions is difficult for people to comprehend, but when you borrow money and you go into debt, you have to pay interest on it. People buy Treasury bills. That is what we do to fund the deficit.

In 2009, this fiscal year, we will make interest payments of \$170 billion on the debt and the money we borrowed. The total Federal highway program, I believe, is \$40 or \$50 billion, isn't that right Senator INHOFE? He is the expert. So this is four times the Federal highway bill annually. We spend approximately \$100 billion on education. These interest payments increase every year. According to the Congressional Budget Office, 10 years from now, we will not be spending \$170 billion on interest, we will be spending \$799 billion. That is the red numbers, \$799 billion in interest, for which we get not 1 foot of highway paved, not \$1 to the classroom, not \$1 for health care, just interest because we borrowed so much money.

I also point out the numbers do not get better. Over the 10-year budget, the Obama budget, the debt goes up rapidly in the outyears. I note that President Bush was criticized for having a big deficit. The highest deficit he ever had—which was unacceptable, I have to say—was \$459 billion. According to the Congressional Budget Office, there is not 1 year in the next 10 that we will have a deficit that low. The lowest year is over \$600 billion. They calculate the deficit as it grows, and in the 10th year, they calculate the deficit for that 1 year to be \$1.1 trillion—\$1.1 trillion—on an upward spiral.

What I wish to say is there is no plan to pay this debt off. The only plan we have is to see surging debts into the future. That is why you have heard this phrase repeatedly, "This is not sustainable." And it is not. But when we cannot even use our stimulus money to fix the road problem we have, we are not serious about the challenges facing this country.

The bit about interest, if the interest rates go up higher than CBO has scored based on the amount of money we have to borrow—and that could happen—we could end up with an annual interest payment of over \$1 trillion.

Mr. INHOFE. Will the Senator yield?  
Mr. SESSIONS. Yes, I will.

Mr. INHOFE. First of all, we made an effort—and the Senator referenced the Vitter amendment. We have 67 percent of the \$789 billion that is not obligated. That means it is not there. The Senator is right; in their minds it may be obligated, but it is not obligated. We tried to have an amendment to triple the amount of money that would have gone to roads and highways and bridges back during the consideration, and we couldn't get that in. The Senator was a cosponsor of my amendment. Now we are trying to do the same thing we were unable to do then.

This is supposed to be a stimulus bill. The total amount of stimulus in this

bill, in my opinion, is about 7½ percent. This is an opportunity to do something with real jobs and not have any problem in increasing our debt or deficit.

So I appreciate the fact that my colleague is coming down, and several Senators will be coming down, and drawing this to the attention of the American people as well as to our friends on the other side. There is our opportunity to save lives, to do infrastructure—one of the major reasons we are here in this Chamber today.

Mr. SESSIONS. I appreciate that comment and my colleague's leadership. He has consistently been a champion for infrastructure and roads. We face a tight budget, and I feel strongly about this. I know I am raising my voice but somehow we have to break through the fog and let the American people know that every time we face a little problem we can't just spend more money. We have to look for ways to solve the problem that doesn't increase our debt.

By the way, in case anybody has any doubts, any new spending that we initiate increases the debt because we are running a deficit. So any new spending increases the deficit for the year because it is not offset or paid for.

So I am worried about where we are heading. I do believe infrastructure will pay for itself in the long run, but there is a limit to how much we can spend on it. However, I will concede that we certainly don't need to have a savaging of our highway bill at this point in time and have hundreds of thousands of people perhaps laid off from work because we don't have the money to finish projects that need to be completed. Instead, let's take the money that is in the stimulus bill. Let's take that money and use it now to fix the shortfall in the highway trust fund. Once we do that, we will create jobs. How many, I don't know, but it will create jobs, and that is a double benefit.

We get a permanent benefit for the American infrastructure, and we create jobs for Americans now. We take the money that is sitting there and not being spent and accelerate its use in the time we need it.

I would point out to my colleague the reason this is important, and the reason the administration was able to ram through this stimulus bill—the largest single expenditure in the history of the American Republic, almost \$800 billion in one fell swoop, with hundreds of pages and people having no idea what was in it—is because they said we are facing rising unemployment, and we need to get this money out in a hurry so we can put people to work. Well, only 11 percent of it is going to be obligated by the end of this year.

Unemployment is already at 9.5 percent, and most experts are predicting it will probably continue to go up to 10, maybe 11 percent. Yet we can't get this money out, and we are cutting the highway budget? When we have this

shortfall, what do people come up with? Well, they are going to pay for it by adding more debt. We have an economic slowdown, so we no longer have to worry about the deficit. We don't have to worry about the deficit, they tell us. But we do.

Our children are going to be paying interest on these trillions of dollars for the rest of their lives, and the only people who are going to get the benefit from it are the people living today. That is a selfish thing. We should use the stimulus in an effective way to create jobs—and there are even debates about how wise some of those methods are economically. But the way this package is being managed, the money is not getting out, unemployment is surging, and there doesn't seem to be any hope for the short term for unemployment to abate. So I am worried about it. I do believe we can do better.

They will say: Well, President Bush had a deficit. We inherited all this. But President Bush didn't ask for the \$800 billion in stimulus money that President Obama asked for this year. That is on top of the debt, and I think anybody who is president needs to be thinking about how to reduce spending not see it spin out of control. I don't believe President Bush would have submitted a budget that shows in 10 years—in that one year, 2019—it would be \$1.1 trillion. We have never seen anything like that.

There will not be a year of President Obama's Presidency, according to this—if he serves 8 years—in which this deficit will be as low as President Bush's, and they are predicting growth. No recession is projected in the next 10 years, when CBO scored what the deficits might be. So this is a fair analysis of it.

Mr. President, I want to say I am pleased Senator VITTER has proposed a way that will allow us to meet the shortfall in the highway trust fund without increasing the debt this year, and it is consistent with what the people who proposed the stimulus bill promised all along—that the stimulus money would be used for highways and bridges. It is the right thing to do. I hope we can pass this, and I think the American people should watch closely on how the votes go on this bill.

I thank the Chair, I reserve the remainder of the time, and I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. DURBIN. Mr. President, our national debt is a national challenge and a national problem, and we can face it and face it honestly, Democrats and Republicans. We can't leave these debts to our children. That is a fact. But let's have some honesty in recounting the history of this debt.

When President Clinton left office 9 years ago, he gave to President George W. Bush a surplus not a debt, a surplus. He had not only balanced the budget, he was generating a surplus, and it was giving longer life to Social Security.

President George W. Bush inherited this surplus and an accumulated national debt over the 200-year history of the United States of \$5 trillion—\$5 trillion. Remember that number because 8 years later, when President Bush left office, the national debt had doubled—doubled—with the support of his party.

Why did it double? It doubled because he fought a war and didn't pay for it. He accumulated debt year after year—in addition to the terrible casualties and losses of our brave fighting men and women—and left that debt to future generations. Then, in the midst of this, he cut taxes. For the first time in the history of the United States of America, a President, in the midst of war, cut taxes for the wealthiest people in our country, supported by the same party that comes now and preaches to us their sermon of fiscal integrity.

So when President Bush left office, he left President Obama a deficit and a national debt that had doubled under his watch, with Republican congressional leadership support. That is a fact. Those are facts. President Obama inherited that debt and inherited the problems that came with it and the sickest economy America had seen in 75 years. That is what he was given.

So President Obama said: We have to be serious about our debt, but we have to be honest about it too. Until we get out of this recession, until we stop this rampant unemployment where people are losing their jobs and can't fend for their families and can't pay taxes—obviously, because they do not have work—we are going to see this deficit continue to grow. To stabilize this economy, we need to put people back to work.

The President said: I know it is tough to spend money when you are in debt, but at this moment in time it is like buying a tourniquet to stop the bleeding. We have to do it, even if it takes every penny we have. And he put together a stimulus bill to get this economy back on its feet. With the exception of three then-Republican Senators, not a single one of them would support this effort to stop the recession.

When President Obama came to office, we were losing 741,000 jobs a month. Now, 4 months into our 24-month stimulus, we have cut that number by one-third, and I hope we have turned the corner. But this massive economy of ours, connected throughout the world with so many other global economies, it is pretty tough to turn this battleship and move it in the right direction. I think the President has done the right thing.

The amendment offered by the Senator from Louisiana is an amendment which says: Give up. Give up on stimulating this economy. Give up on stopping this recession. Stop building these projects that create American jobs—good-paying jobs. Stop investing in our infrastructure for future generations. Stop addressing this recession head on and pray for a good outcome.

I am sorry, but I can't buy it. The Senator from Louisiana is offering a proposal to take money out of the President's recovery and reinvestment package that was determined to stabilize this economy. He wants to take the money out of it when we are 4 months into it. He says this morning: We are not spending this money fast enough.

Incidentally, he voted against this, but now he is criticizing it saying we are not spending it fast enough. Well, I want to spend it quickly, but I want to spend it wisely, and I want accountability. At the end of the day, the taxpayers will hold us all accountable: Did you spend our tax dollars wisely? Did you spend them on projects that really do benefit our country? Did you waste it? Was there fraud? I want those questions answered in the positive frame of mind that we have done everything we can do. So it is not being spent as fast as its critics say, but I think it is being spent wisely, and we are creating jobs all across America.

Thousands of projects are on line now creating good-paying jobs. The amendments we are considering today on the Republican side of the aisle, all from Members who opposed the President's effort to stop this recession with the stimulus bill, every one of them wants to put an end to the stimulus package. With 150 days into this 2-year bill, they want to put an end to it by starting to take money out of it. They have given up on it. They have given up on a package which, incidentally, provided a tax break for 95 percent of the working families in America.

Does that help? You bet it does. These families are struggling in the recession too. They have seen their life savings devastated by the stock market in the last year. Giving them a helping hand is a sensible thing to do.

It is a bill they voted against—the President's bill—which says let's give unemployed workers \$25 more per week so they can get by. Sure, it doesn't sound like a lot of money, except when you don't have a job and every penny counts. They want to criticize, as well, the President's idea of providing health insurance to unemployed workers. No, they said that was a terrible idea. They voted against it.

Think about this: You have just lost your job, you may lose your house, your child has to go to the doctor with a raging fever, and you pray to God a diagnosis isn't going to come down that will wipe out your life savings. For them it is an extravagance—the idea of providing health insurance for unemployed people. For me, it is part of America, a caring country that stands by people when they are facing the misfortunes of losing their job.

The list goes on and on, and they oppose all of it. They now come and say, we not only opposed it at the outset, we are going to start taking money out of it. We are going to pass it around, moving it in a lot of directions. Some want to put it in the highway trust

fund, some in unemployment insurance, and some want to put it in housing programs. But the net result is the same. It takes the money the President wanted to use to stimulate this economy and create good-paying jobs. We need to resist these amendments.

Mr. President, I understand Senator DEMINT wants to offer an amendment, and we are supposed to close at 2. So I don't know if he is prepared at this time, but if he is, I would be happy to yield the floor.

The PRESIDING OFFICER. The Senator from South Carolina is recognized.

Mr. DEMINT. I thank my colleague. I would like to make a few comments. I am not going to offer an amendment at this time.

Mr. President, sometimes in this place it is hard to extract the truth from the words. I, frankly, don't understand the opposition to using money for transportation that has already been allocated to transportation.

I think we have had enough of saying we need to spend more money and borrow more money because the Bush administration spent too much and borrowed too much. This is a bipartisan problem. Hopefully, we will have a bipartisan solution.

What is being proposed today is we need more money for highways. The highway trust fund is running out of money. We need more money to pay unemployment benefits. They are running out of money. We would like more money for FHA loans. We have to decide do we want to use money that is already designated for purposes of our economy and helping people who don't have jobs or do we want to borrow more money and spend more money and add more money to our debt?

I don't think this situation is a good reason to say: Hey, we were bad in the past, so let's continue those practices. We are not suggesting with these amendments that we should stop the stimulus plan. We are saying we should use it for the same purposes it was set up for. Let's use it to build roads and bridges and create jobs. Let's use it to make sure those who are unemployed get their benefits. Let's use it to re-stimulate our housing market.

The PRESIDING OFFICER. The Senator will now suspend. The Senate is ready to take a recess.

Mr. DEMINT. I thank the Chair for all the time to speak, and I yield the floor.

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 3 p.m.

#### RECESS

Thereupon, the Senate, at 2 p.m., recessed until 3 p.m., and reassembled when called to order by the Presiding Officer (Mr. FRANKEN).

#### HIGHWAY TRUST FUND EXTENSION—Continued

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mrs. HUTCHISON. Mr. President, I wish to speak about the transfer of the highway trust fund money. I do, of course, support having the money in the highway fund because so many States need to have this money and we need to assure it is there. I also support the amendments that would use the stimulus money so it would not be new money.

But I do wish to talk about the highway trust fund because I think it is important, as we are talking about this very important transportation issue for our States, that we begin the debate about whether the highway trust fund is now the appropriate vehicle for keeping our Federal highways repaired and also doing the best for every State in transportation. What concerns me is that the first reason for the highway trust fund back in President Eisenhower's day over 50 years ago has been achieved. Yet we are still continuing to have the same formulas where some States are winners and some States are losers. But every State today has the capacity to determine its own priorities and the capacity to fund those priorities, unlike 50 years ago when there were many States that had very little capacity. They had little property, they had little taxable revenue sources, and therefore there was a need for a national system of highways to assure that we had national security. That was the first reason for it—but also mobility and commerce.

Today, however, I think it is time for us to start all over. I think it is time for us to allow States to opt out of the highway trust fund.

Of course, I am speaking for the largest donor State in America. We give more back to other States than any other State. We are a State that has more highway miles than any other State; therefore, we collect more taxes. Because we are a donor State, we give the most away. If these were States that could not meet their own needs and my State of Texas was a State that had its needs covered, maybe you could argue that would be OK. But, in fact, that is not the case. In fact, Texas is facing a huge shortage in our highway funding. We now have two cities that have mass transit systems that are certainly very successful but very far behind the curve when it comes to the transportation glut on our highways. We need to have the money in Texas to start meeting our great transportation needs.

This also affects our environment, because when we have people clogged in traffic, sitting on freeways hour after hour, of course it is bad for the ability to get where you want to go, but it is also bad for the environment to have the fumes going in the air.

I think today it is time for us to start the debate. Why not let a State opt out, agree to keep in good repair the Federal highway system and allow the States to use their own taxpayer dollars for their own priorities to meet their own transportation and mobility

needs? If Texas could keep all the money it raises, rather than toll roads, which are now being contemplated throughout our State, perhaps we could have a mobility plan that would include highways, rapid transit, high-speed rail, and more innovative ideas that are very costly, which we cannot afford at this time.

Obviously, today we are going to go forward with extending the trust fund and replenishing the highway trust fund because that is what people want to do because we don't have time to address the whole issue of reauthorization at this very complicated time. I wish we were not going to consider an 18 month extension in September because I think we ought to have a short-term extension, so we do have the reauthorization of the highway bill, so we can start discussing these priorities—so we can start maybe thinking outside the box. Maybe we can start all over.

The highway trust fund and the highway authorization bill is a mishmash of different projects. I don't think there is fairness in the system at all. You have donor States, you have winner States, and the winner States have all the capacity. The loser States have as much need as the winner States, and the winner States have the ability, I believe, to fund their own options.

Even though I know we are going to extend the highway bill for 18 months by the end of September, and I know we are going to replenish the highway fund today—and I wish it would be from our stimulus package so it would not be yet another deficit-inducing measure from this Congress—I think I am going to lose all the arguments I am making. But I do think it important that we bring this issue to the forefront.

There is no reason in this country today for winner States and loser States. Our States should be able to plan for themselves, make their own priorities, meet their needs, be able to be more efficient, have multimodal systems—which is what I hope for Texas—and be able to use our own tax dollars for our own needs. Were we a State that did not have needs, were we a State that was not growing, maybe we could afford to continue giving 8 cents back for every \$1 we send to Washington. Maybe we could afford to leave the 8 cents in Washington.

Instead, we are getting 92 cents back for every \$1 we send to Washington. That is hundreds of millions of dollars that we need for our high-growth State that has many traffic problems and congestion problems today. We will repair our highways. We would sign an agreement to repair our highways so there would be no Federal responsibility for that. But I hope this argument will be the beginning of a debate so we can instate a system that will be more in tune with today's times, 50 years after the National Highway System was created—a wonderful system that connects our country but one, now, that is finished. We have our National Highway System. We do have