

undermines basic health rules. There is nothing free about trade that weakens safety rules, the very rules that help keep food safe to eat and water and air safe to drink and to breathe. The FDA should take action now to protect American pet owners from tainted products that can harm the health of their pets.

It has been a longtime victory for the American people that the air we breathe, the water we drink, the food we take, the toys we buy for our children, the treats we buy for our pets—we have done a good job in this country in the last several decades of the government partnering with businesses to make sure these products are generally safe for our families—for ourselves, for our children, and for our pets. Now, these holes in our trade laws—these trade laws that encourage companies to go overseas and produce products and sell them back here—clearly have undermined so much of what we have accomplished bipartisanship for so many years for the health and safety of the American public.

Thus the role of government can be important to show that we do know how to do this to protect our families. I urge the FDA to step in here on this issue and help American families.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

WOMEN'S PREVENTIVE HEALTH SERVICES

Mr. HARKIN. Mr. President, I watched many of the statements made by so many of our women Senators who came to the floor in the past hour to talk about this issue of women's preventive health services. I was unable to get to the floor at the time. I want to be here now because, unfortunately, there is a lot of confusion about what the Affordable Care Act does and does not do with respect to women's preventive health services.

As chairman of the Health, Education, Labor and Pensions Committee and as someone who is very much involved in crafting this legislation, especially the preventive services part of that legislation, I hope to explain the facts and debunk the myths and the misinformation that has recently arisen on this issue.

First, women—nurses, teachers, professors, homemakers, attorneys—everyone from all walks of life, all women in America now have the right to preventive health care services. Beginning this August, the Affordable Care Act guarantees that insured women will have access to expert recommended preventive health care services. These basic services include well-women visits, mammograms, prenatal care, cervical cancer screenings, and contraception.

These critical services will be offered without any out-of-pocket costs such as copays or deductibles. It is the latter, the ability of women to have a

health insurance plan that covers contraceptives that has led to this recent controversy, this outpouring, this outburst of political accusations.

Here let me emphasize people of strong faith and good conscience have very different views when it comes to these matters. I understand that. I have great admiration for the many contributions that religious institutions make to our country. Catholic charities provide vital assistance to low-income Americans. Religious universities teach and prepare thousands of young people to be outstanding citizens and productive members of our society. In fact, I attended law school at Catholic University right up the street. I also attended Catholic elementary schools and Catholic high school.

Catholic hospitals are instrumental in providing first-class health care to so many of our fellow citizens. I have spoken many times about the care that Mercy Hospital in Des Moines, a Catholic hospital, gave to my father when he was elderly and in bad health because of black lung disease and he had no money. They provided care for him at no cost. So I have very deep feelings about the generosity and the care that these religious hospitals provide.

It is for this reason I would oppose any measure that threatens the fundamental religious liberties of these institutions. I believe, however, that the President properly balanced the essential health care needs of women with the rights of religious institutions. Let me clarify what this rule does, and most importantly does not do since folks, such as Governor Romney, are misleading the American people—perhaps intentionally distorting the facts—using the issue for demagoguery.

First, churches and other houses of worship are specifically exempt from the requirement that they carry insurance plans that provide contraception.

Second, no individual health care provider, neither religious nor secular, will be forced to prescribe contraception. The President and his administration have previously and continue to express strong support for existing conscience protections. Moreover, other religiously affiliated organizations that employ people of different faiths—such as Catholic colleges and hospitals—can qualify for a 1-year transition period as they prepare to comply with the new law.

Let me point out, no individual will be forced to buy or use contraception. No individual will be forced to buy or use contraception. Under this policy, women who want contraception will have access to it through their insurance without having to pay a copay or deductible, but no one will be forced to buy or to use contraception. Let's make that clear.

Drugs that cause abortion, such as RU486, the morning-after pill, are not covered by this policy. Let me repeat that. Drugs that cause abortion, such as RU486, the morning-after pill, are not covered by this policy and nothing

about this policy changes the President's firm commitment to maintain strict limitations on Federal funding for abortions. No Federal tax dollars are used for elective abortions.

Let me quote what Governor Romney said in Colorado just yesterday:

Just this last week, this same administration said that in churches and the institutions they run, such as schools, and let's say adoption agencies, hospitals, that they have to provide for their employees, free of charge, contraceptives, morning-after pills—in other words abortive pills and the like at no cost.

Mr. Romney said.

Think what that does to people in faiths without sharing those views. This is a violation of conscience.

Mr. Romney, this does not cover morning-after pills. And the adoption agencies and the hospitals do not have to provide free of charge contraceptives. All they have to do is to make available, through the broad insurance coverage they have, for women who choose to use contraceptive services, that they can get those without any copays or deductibles. But this does not cover the morning-after pill. Yet I keep hearing it.

I was working out this morning while watching CNN, and somebody else came on talking about how the Catholic Church is opposed to abortions; they should not be forced to fund abortions. This has nothing to do with that. All it says is, if you have a broad-based insurance policy and you are not a religious institution or a church and you are, let's say a hospital, and you have insurance that covers a broad array of people, we have said that insurance must cover a broad variety of preventive services: mammograms, cervical cancer screening, well-women visits—all of that—and contraception—and contraception, a preventive service.

Mr. Romney is going around saying these things, but it is not true. It is simply not true. He is either misinformed or he is purposely trying to mislead the American people—neither of which is acceptable. As I said, churches and other houses of worship are specifically exempt from the requirement that they carry insurance plans that provide contraception.

Second, no individual health care provider, neither religious nor secular, will be forced to prescribe contraception. No individual will be forced to buy or use contraception against her own conscience. All the rules the President announced ensure that all women, no matter who their employer, have the opportunity to enjoy the same insurance and the same vital preventive services—every woman. In fact, there is nothing radical about such a policy. Fifty percent of Americans currently live in 28 States that require insurance companies to cover contraception. Imagine that.

Several of these States—such as Arizona, New York, Oregon, and California—have had this law in effect for years, saying if you have insurance

coverage, you have to provide contraceptive services under that broad coverage of insurance, and these four States have identical religious employer exemptions as the rule the President announced.

Let me repeat, Arizona, New York, Oregon and California have identical religious employer exemptions, the same as the rule the President announced. I did not hear Mr. Romney going after the Governors of Arizona or of New York or Oregon or California. This has now become a political issue, and it should not be. It should not be.

Religious institutions continue to serve the public by providing exemplary health, education, and anti-poverty services in these States, and I am hopeful that nothing will change in the rest of the country. Twenty-eight States, half the people who already live in those States that cover the same thing.

The health of women in this Nation is far too important to become a sound bite on the evening news, a headline in the morning paper, or political rhetoric—again, to divide us. The President's policy and what we have done does not divide us. In fact, if anything it unifies the country. I do not think anyone thinks we should pass a law banning contraceptives. We did in the old days, you know. There was a Supreme Court case about that. As a matter of fact, I read it in law school when I was at Catholic University Law School: *Griswold v. Connecticut*, if I am not mistaken.

The Supreme Court said, no; the State has no interest, no vital interest in telling women they cannot use contraceptive services and devices. That is an old case. If someone is conscience-bound and they say they don't want to—that is fine. No one is being forced to do anything against their consciences. No one is being forced to do anything we have not already done in this country in 28 States. But now it has become political rhetoric. How else do we explain Mr. Romney's total misinformation? To try to divide us as a country again.

It is time to put this aside. It is time to put aside these differences, these divisions, and focus on giving people access to the affordable health care they deserve. That is what the Affordable Care Act does, and we should not let political rhetoric, political gamesmanship, a political campaign again try to tear us apart, try to misinform people to inflame passions that somehow we have gone off on a different path; that we are doing something totally different than what we have done before. We are not. We are not. To include in this the inflammatory rhetoric of abortion and all that it entails is doing a disservice to the women of this country.

I hope the truth will get out, that this misinformation will fall by the wayside, and people will see this for the political rhetoric it is, and that we will move forward with a health care

system that does provide broad preventive services to every woman in America. That is what this is about.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. UDALL of Colorado). Without objection, it is so ordered.

MOVING AHEAD FOR PROGRESS IN THE 21ST CENTURY ACT—MOTION TO PROCEED

Mr. REID. Mr. President, I now move to proceed to Calendar No. 311, S. 1813.

The PRESIDING OFFICER. The clerk will report the motion.

The assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 311, S. 1813, a bill to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes.

CLOTURE MOTION

Mr. REID. Mr. President, I have a cloture motion at the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate on the motion to proceed to Calendar No. 311, S. 1813, a bill to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes:

Barbara Boxer, Max Baucus, Mark L. Pryor, John D. Rockefeller IV, Benjamin L. Cardin, Al Franken, Jack Reed, Sheldon Whitehouse, Amy Klobuchar, Bernard Sanders, Patrick J. Leahy, Tom Udall, Frank R. Lautenberg, Richard Blumenthal, Jeff Merkley, Richard J. Durbin, Harry Reid.

Mr. REID. Mr. President, I ask unanimous consent that the mandatory quorum under rule XXII be waived; further, that the cloture vote on the motion to proceed to S. 1813 occur at 2 p.m., Thursday, February 9.

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

FAA CONFERENCE REPORT

Mr. DURBIN. Mr. President, last night, the Senate adopted the final version of a long term reauthorization of the Federal Aviation Administration. The process has been long and less than elegant as we worked through differences between the chambers, across parties and regional differences. I voted for the bill and am pleased that there is now more stable funding and policy to support our national aviation

system. There are aspects of this bill that I do not agree with and would have done differently.

The FAA authorization expired in October of 2007. For more than 4 years, we have been operating on short-term extensions—23 total short term extensions. The FAA, airlines and flying public all deserve a long-term authorization to provide certainty to our national aviation system.

One reason I voted for this legislation is that it is a jobs bill. The FAA estimates commercial aviation is responsible for 5.2 percent of gross domestic product and generates \$1.2 trillion in economic activity. The aviation industry provides \$346 billion in earnings and 11 million jobs. And this bill will help grow those numbers.

The funding provided in this bill will support 280,000 jobs. The economist Mark Zandi said, "Aviation is the glue that keeps the global economy together." This bill will boost our economy now and keep the United States competitive in the global marketplace in the future.

As importantly, this bill will improve the safety of our aviation system. Improving runway safety is one of the National Transportation Safety Board's "Most Wanted" list. There were 988 runway incursions last year. This year there have already been 66 incidents. This bill will require FAA to review all commercial service airports in the United States and initiate action to improve lighting, signage, and runway and taxiway markings.

Another key component of this bill is NextGen, the term we use to describe our transition from radar-based air traffic control system to a GPS-driven system. NextGen will give pilots and air traffic controllers the ability to accurately pinpoint aircraft in the sky—to avoid problems, to monitor traffic, to move things more smoothly, safely and efficiently. The FAA has called for action on implementing NextGen.

Last year, U.S. airlines carried 704 million passengers. Soon, those numbers will increase significantly. The FAA reports that U.S. airlines will carry more than one billion passengers by 2023 and more than 1.2 billion passengers by 2030. Our outdated air traffic control systems cannot safely and reliably handle this increase in traffic. But with NextGen, we hope to triple the capacity of our national aviation system.

This technology will allow planes to fly the straightest, quickest route from point A to point B. And with more precise information and better communication between the ground and the cockpit, we can fit more planes safely in our airspace. Doing so will save airlines at least 3.3 billion gallons of fuel a year—or more than \$10 billion annually by 2025. NextGen should also reduce airport delays significantly.

Chicago's Midway Airport was ranked dead last over the past few months for on-time departures. Chicago's O'Hare airport has won that dubious distinction more than once. The