

The PRESIDING OFFICER. A unanimous consent request is pending. Is there objection to the request?

Without objection, it is so ordered.
The Senator from California.

DELAY OF JUDICIAL CONFIRMATIONS

Mrs. BOXER. Madam President, I rise because I want to point out to the people of this country who may be watching this proceeding that what has happened tonight on the Senate floor is just ridiculous. Senator BILL NELSON—I think he was restrained, frankly. I know him. He is a very close friend—was restrained in his comments.

One Senator is stopping us from being able to ensure that justice is done, getting a great judge on the bench. It is sad. It is a historic nominee. It is a bipartisan situation with Senators NELSON and RUBIO together, but it goes beyond this.

In addition to holding up the Senate and wasting time here—because we can't vote on the judge now; we have to wait until hours and hours go by—what happens after? We are supposed to be on a highway bill, a bill that will protect 1.8 million jobs and create an additional million jobs. Mr. President, 2.8 million jobs are hanging in the balance.

We have obstruction from my friends on the Republican side—and they are my friends. I don't know what they are doing. I don't know whom they think they are helping, but it is not the American people. Whether it is standing in the way of this judge or whether it is stopping this highway bill, they are hurting America. I want to tell them to wake up and smell the roses—we are trying to get out of this recession. This is a jobs bill that is just waiting to happen. We have myself and Senator INHOFE as partners in this effort. We have Senator BAUCUS working with the Republicans in the Finance Committee. We have Senator JOHNSON working in concert with Senator SHELBY on the Banking Committee. On the Commerce Committee, we have a few bumps in the road, but we are going to straighten those out because Senators HUTCHISON and ROCKEFELLER are working together.

Why is it that we are doing nothing? Is it because Senators on the other side do not want us to move ahead? It is no wonder we have 13 percent approval from the American people. I will tell you, if they did not let our families vote, it would be less. How low can it go? We are going to know.

I have to say we want to get to this highway bill. It also had an 85-to-11 vote to move forward—an 85-to-11 vote to move forward—and guess what the first amendment is. It is not about making sure our highways keep up with the demand. It is not about how we can make sure our transit systems are functional. It is not about how we make our bridges safer. It is about birth control. Excuse me, the first

amendment my friends on the other side want to offer is about birth control? I honor my friends' views on birth control. I personally believe, as the vast majority of Americans believe, that it is important women have the ability to have their insurance cover contraception. It saves money, it saves lives, and it reduces abortions by the tens of thousands. It saves insurance companies 15 percent because it avoids so many problems. Fifteen percent of the women who use birth control use it for non-birth-control reasons, such as helping prevent an ovarian cyst from turning into a dangerous situation. They use it to prevent endometriosis. They use it to prevent debilitating pain.

It is a highway bill. I am interested to see what Senator—I have to read again what he is offering. I think it is so broad, it says that anybody in America—any employer can refuse to offer any part of insurance they want if they say it is a religious objection. So let's say you are a Christian Scientist and you run a big organization and don't believe children should get chemotherapy—and we have had those cases. Under the Blunt amendment, I guess you don't have to do it. You just say it is a religious objection. It is so sweeping. My point tonight is to say that such an amendment does not belong on a highway bill. To that end, and I will stop here, we received a letter today: "To the Members of the United States Senate." This is one of the clearest letters I have ever seen. Here is what it says:

The time is now to pass S. 1813, Moving Ahead for Progress in the 21st Century, the bipartisan highway bill crafted by the Environment and Public Works Committee. Last Thursday 85 Senators voted to invoke cloture on the motion to proceed to S. 1813, clearly demonstrating bipartisan support for passing the highway and transit bill. While we are encouraged by the show of support, the undersigned organizations are concerned that progress may be impeded if non-germane amendments are offered as part of the deliberations on this bill.

I love this letter. Listen to what they say.

The organizations that we represent may hold diverse views on social, energy, and fiscal issues, but we are united in our desire to see immediate action on the Senate's bipartisan highway and transit reauthorization measures.

This is to every Senator.

Senators, please listen carefully.

Therefore, we strongly urge you to abstain from offering non-germane amendments that would impede the passage of this legislation, which is essential to job creation, economic growth and to the long-term stability of vital transportation programs.

I will read who signed this:

AAA, the American Association of State Highway and Transit Officials, the American Bus Association, American Concrete Association, American Council of Engineering Companies, American Highway Users Alliance, American Moving and Storage Association, American Public Transportation

Association, American Road and Transportation Builders Association, American Society of Civil Engineers, American Traffic Safety Services Association, American Trucking Associations, Associated General Contractors of America, Associated Equipment Distributors, Association of Equipment Manufacturers, Association of Metropolitan Planning Organizations, Commercial Vehicle Safety Alliance, Governors Highway Safety Association, Intelligent Transportation Society, International Union of Operating Engineers, Motor and Equipment Manufacturers Association, the National Asphalt Pavement Association, the National Association of Development Organizations, the National Construction Alliance II, National Stone, Sand and Gravel Association, Portland Cement Association, and U.S. Chamber of Commerce.

Listen, we have to put aside these wedge issues, these "gotcha" issues. We have the equivalent of 10 Super Bowl stadiums filled with unemployed construction workers. We have business after business that is struggling.

This is a bipartisan bill. This will save 1.8 million jobs and create an additional 1 million jobs, and we are talking about birth control amendments, line-item veto amendments, amendments about foreign policy. I have to say to those colleagues of mine, whatever side of the aisle they are on—at this time I only know Republican amendments, but anyone who comes forward with a non-germane amendment and tries to put it on this important bill—let me say this as best I can, either they don't care a hoot about jobs for our people or they just want this economy to tank for political reasons. Because if we don't pass a highway bill—and the authorization ends at the end of March—I am going to be blunt with you. What is going to happen? Our States are going to start shutting down these projects and people will be unemployed and we will see reversal in this very delicate economic recovery.

This is a critical bill, and I am going to be on this floor every single day and I am going to be going on my Facebook and I am going to be going on Twitter and TV and radio everywhere. Why? To say a very simple thing to my colleagues—get out of the way of this jobs bill. Get out of the way. All of America supports it, from the left to the right, to the center and everything in between.

I yield the floor. I thank the Chair.

Mrs. FEINSTEIN. Mr. President, today I have filed Amendment No. 1536 to the pending surface transportation reauthorization bill. This amendment is also supported by Senator BOXER.

This amendment would change the railcar procurement rules to allow transit systems to contract for delivery of railcars for up to 5 years from the date of delivery of the first railcar.

Current law requires the purchase of buses and railcars to be completed

within 5 years of the date the contract is signed, not the date of the first delivery.

So this amendment would give transit operators the chance to sign larger and more cost effective contracts, which in some cases can save substantial money.

The current rules do not make sense for rail operators. They are designed to stimulate competition among manufacturers, and they prevent transit agencies from locking themselves into contracts for outdated buses in a market that is constantly evolving and advancing technologically.

But these rules do not recognize the reality of purchasing and producing railcars.

A light rail system's car designs must maintain a basic design for compatibility reasons, so rules designed to promote innovative design have little benefit.

But by forcing the transit rail agency to buy cars with the same basic design in two orders instead of one, these rules almost certainly increase total costs. It may also lead to the purchase of different models from two different orders, increasing maintenance costs in the future.

For instance, the Bay Area Rapid Transit System, or BART, is replacing its entire fleet of 669 railcars and buying an additional 106 for an expansion project.

BART's railcars have been in use for about 50 years, and they have become too costly to maintain. It is clearly time that they be replaced.

The current 5 year procurement rule, however, would force BART to issue two small procurements, instead of one large one.

BART estimates this will cost taxpayers and transit riders \$325 million and they will buy the same number of cars either way.

This amendment would allow transit agencies like BART to sign one single contract, to purchase in bulk, and to save money for strapped systems.

Buying in bulk means cheaper flooring, seats, and all other component parts needed to build a railcar. BART also risks increased prices of component parts between contracts.

This amendment empowers transit systems to apply lessons learned from the airline industry in order to make transit more efficient and less costly.

As BART has pointed out in their letter on this amendment, Southwest Airlines is their model.

Southwest flies only Boeing 737s, making it the lowest cost maintenance system in the country. BART wants a single railcar design, to bring about the same type of savings.

BART hopes to purchase one model and keep their maintenance costs low as well.

The bottom line is this amendment gets Federal rules out of the way of transit agencies that want to use their market power.

It helps transit get the best possible price when purchasing equipment.

It stretches limited Federal dollars much, much further.

I urge my colleagues to support this amendment and ensure that taxpayers' money is used in an efficient manner. During these critical economic times, every cent of the people's money should be spent wisely.

The PRESIDING OFFICER. The Senator from Ohio.

THE AUTO INDUSTRY

Mr. BROWN of Ohio. Madam President, earlier today I toured Alcoa's Cleveland Works plant. The plant houses an engineering and manufacturing marvel of a 50,000-ton Mesta forging press. It stands 87 feet high; 36 feet below the surface, 51 feet above the surface. The press has enough steel to lay 42 miles of railroad track. That is roughly here to Baltimore or Akron to Cleveland. It is massive, and one of only five heavy closed-die forging presses in the United States. It is officially considered by the Mechanical Engineering Association a national historic engineering landmark.

Its original purpose was to build components for large airplanes during World War II. During the war, we discovered that German aircraft were being built with structural elements that could only be made by large forging processes that we thought had not yet been invented. So only as it could do, our government, through the Air Force, initiated the Heavy Press Program to compete with the Germans and to show that advanced manufacturing matters to our country.

After the war, we brought the Mesta supergiant forging press to America and to Cleveland, where it remains critical to the commercial and defense aerospace industries. It formed the basis of a public-private partnership, it stamps the "Made in America" label on some of the world's most advanced technologies and products.

Today Alcoa is investing \$100 million to complete and restart its redesign of the massive press. Alcoa invested in America and it is an investment in Ohio manufacturing. It shows the company's ability to leverage public resources to meet industrial-based needs as well as commercial demands of the market. It is for our national security, and it is for our domestic security to build a middle class. It is an example of how partnerships can still pay dividends six decades later and will do so with continued investment for decades to come.

At the time it was about our national pride and need in times of war. Today it is about creating and retaining jobs. It is about showing that manufacturing is about building and it is about innovation. Manufacturing is about high-tech production, it is sophisticated engineering, it is advanced technologies, and it remains a ticket to the middle-class.

We are finally seeing recognition in Washington that manufacturing is crit-

ical to our economic recovery. For 12 years—from 1997 through the 8 Bush years into 2009—we had seen a decline every single year in Ohio manufacturing and in American manufacturing, but for the last 21 months we have seen an increase in manufacturing jobs in America and an increase in manufacturing jobs in Ohio. It started, in part, with the auto rescue where if some conservative politicians in Washington had had their way, they would have allowed the auto industry simply to declare bankruptcy with no ability to finance or restructure the auto industry. Instead, the President, in working with the Senate and working with the House, rescued that industry by investing in that industry.

Today in my State we are seeing thousands of auto jobs in the auto companies, in Chrysler and in GM, jobs that wouldn't have been there if we had not done auto rescue, and we are seeing all kinds of auto supply jobs. For instance, at the Chrysler Jeep plant in Toledo, where 3 years ago only 50 percent of components came from domestic sources, today more than 70 percent come from domestic sources.

Today plants in Toledo, in Lordstown, and in Defiance are hiring workers. The Chevy Cruze—one of the hottest selling cars in America—is as close to an all-Ohio car as you can get. The engine is made in Defiance, the transmission is made in Toledo, the bumpers are made in Northwood, the stamping is done in Parma, the steel comes out of Cleveland, the aluminum comes out of Cleveland, part of the sound system comes out of Springboro, and the assembly is in Lordstown—thousands and thousands of auto-worker jobs, tens of thousands of jobs of auto suppliers supplying the Cruze, supplying Honda, supplying the Jeep plant in Toledo, supplying the Ford plant in Avon Lake.

In the last year alone, Honda and Chrysler and Ford and GM announced multimillion-dollar investments in Ohio alone and, in many cases, around the country. Honda announced it would build and develop its most state-of-the-art sports car ever right in Ohio. We see the same jobs creating investments from Chrysler, its Toledo assembly complex, from Ford at the Avon Lake plant, from GM at its Defiance powertrain plant.

As it did when the Nation needed the forging press for aerospace manufacturing, our government did only as it could do; it stepped up to invest in America and the American auto industry. So those who complain about the auto rescue need to read a little history to understand that so often American manufacturing partnered with U.S. taxpayers to make sure these industries were strong and solid and created good-paying jobs to build the middle-class. It is paying off dividends today. It will continue to do so in the future.

I have a unanimous consent request after I speak, that the Senator from Oregon is recognized.