

today about the importance of getting a budget done today, all the way through the process. Senator REID, our majority leader, last evening spoke again about the fact that we have had 15 days now of trying to just come together to create a conference committee to work out differences between the House and the Senate on a budget. For some reason, after talk for the last 3 years that I can remember from colleagues on the other side of the aisle saying that we need regular order, we need regular order, we need to get a budget done, they now are objecting to getting a budget done, which is extraordinary. The fact is that we cannot get a budget done if the House and the Senate do not appoint conferees and sit down and negotiate differences.

There are huge differences, I might add, between the House and the Senate. It is true that we will not accept, in the Senate, eliminating Medicare as an insurance plan for seniors and the disabled in this country, which the House does in their plan, turning it into a government voucher, putting seniors back into the private sector to try to find insurance. We certainly will not accept that, it is true. There are other areas of that budget we absolutely will not accept, but we know the first step in coming together to find something we can accept is to sit down and talk. I mean, I am very proud of what we were able to do in March. We had 110 amendments. We all remember. We were here until the wee hours of the morning. We got a budget done in regular order.

We have been hearing from colleagues across the aisle that we need to have regular order. I support that. In fact, I was proud of the fact that last year we did a farm bill in regular order and plowed through 73 amendments and worked together and passed a bipartisan bill. We hope we are going to be bringing a bill to the floor very soon as well to do it again.

I am a huge supporter of giving people an opportunity to state their differences, to be able to work out amendments, and to be able to get a bill done. We did that with 50 hours of debate on the budget, 110 amendments that we took up. We got it done. Now, all of a sudden, colleagues on the other side of the aisle do not want regular order anymore. They have decided somehow that actively blocking us from actually getting a budget for the Nation is more advantageous to them for some reason or something that appeals to them more than actually getting the budget done.

I urge our colleagues on the other side of the aisle to take another look at this, to look at their own words over the last number of years. Our colleague from Texas who objected to the majority leader's motion to actually do the next step and get a budget done said back in January on national television: We have a crisis. Well, what was the crisis he was talking about?

There is no doubt the Senate has not done its job. The Senate should pass a budget.

Well, we did. We passed a budget. It may not be something my colleague from Texas supported. That is the democratic process. The majority of people agreed in this body, and we passed a budget. He may be more inclined to support the House budget, which eliminates Medicare as an insurance plan and does a number of other things that I think go right to the heart of middle-class families and so on. That is his right. That is a right we all have, to have a position as to which budget we support. But we also know that in the democratic process under our Constitution—and we all talk about the Constitution and the democratic process—the way we actually get to a final budget is to get folks in a room to talk, to negotiate, and to see if there is some way to work issues out. We are now being blocked from being able to get in the room to talk to each other.

The American people want us to talk, want us to negotiate, want us to work things out. That is what we ought to be doing. So I would strongly urge that we move to conference. I do not know why in the world anyone would be objecting to putting together a group of people, Democrats and Republicans in the Senate, Democrats and Republicans in the House, to sit down and work out the priorities for our country.

Will we have different perspectives on Medicare, whether we should have Medicare? Yes, we will. Will we have different perspectives on where the brunt of the cutbacks should be and whether middle-class families have been hit enough, which I believe they have? Yes, we will have a disagreement on how to balance the budget. But we all know that we need to get the job done. We have done our part in passing a Senate budget. The House passed a House budget. It is a very different vision of the world, different vision of what should happen in terms of innovation, education, and investing in the future of our country—very different views. But those views deserve to be aired sitting around a conference table to try to work out some way to come together to pass a budget.

I urge colleagues to stop obstructing, stop stalling, allow us to move forward in a balanced way, and give us the opportunity to do what everyone in the country wants us to do, which is to come up with a bipartisan, balanced, fair budget for the country.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mrs. MURRAY. Madam President, I ask unanimous consent that I speak in morning business, followed by the Senator from New Hampshire, Ms. AYOTTE.

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

(The remarks of Mrs. MURRAY and Ms. AYOTTE pertaining to the introduction of S. 871 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

#### WATER RESOURCES DEVELOPMENT ACT OF 2013—Continued

Mrs. BOXER. Madam President, what is the order?

The PRESIDING OFFICER. S. 601 is now pending.

Mrs. BOXER. Madam President, I want to speak now on a bill that Senator VITTER and I are very proud of. But, first, I ask unanimous consent to withdraw the committee-reported substitute amendment.

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

#### AMENDMENT NO. 799

(Purpose: In the nature of a substitute)

Mrs. BOXER. Now I call up the Boxer-Vitter substitute amendment No. 799 and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from California [Mrs. BOXER], for herself and Mr. VITTER, proposes an amendment numbered 799.

Mrs. BOXER. Madam President, I ask unanimous consent that further reading of the amendment be dispensed with.

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

(The amendment is printed in today's RECORD under "Text of Amendments.")

Mrs. BOXER. Madam President, I will make an opening statement and then turn it over to my colleague, Senator VITTER, for his opening statement.

I want to just say this is a good day for the Senate to get on a bill that is a bipartisan bill, where we have had unanimous support in the Environment and Public Works Committee. This is a bill that will create or save half a million jobs for our Nation, and it has been a long time in coming. The last WRDA bill—the Water Resources Development Act—was in 2007. It took a lot of work to get here. The reason for that is we had to deal with changing the culture of the Senate away from earmarks in a bill like this where projects were named and figure out a way we could move forward with these projects without earmarks. It was difficult.

Senator VITTER and I and our staffs have worked hard to get to this point. I particularly want to say to both staffs that we couldn't have done it without your amazing focus. We are so appreciative.

Our bill did make it through EPW without a single "no" vote. Since then we have been working with almost every Senator to hear their ideas, to get their reactions, and to see if there were ways we could change the bill. This substitute Senator VITTER and I have put forward incorporates the

views of a whole array of Senators, and they know who they are. There are many of them, and we are very happy we were able to work with them. Of course, we will continue to work with them if there are ways we can improve this bill even more.

So this is long past time. As I said, it was 2007 when the last WRDA bill became law, so we have an infrastructure that is critical, and part of it is the water infrastructure. That is what we deal with.

Now, what does this bill do? We focus on flood control. We focus on ports and environmental restoration projects where the corps has completed a comprehensive study. Then we also incorporate authorizations for projects that need modifications, and the modifications don't add to the overall cost of the project. For the future, we have developed a system that allows local sponsors to make their case directly to the corps because we are fearful that as new needs come up, there is no path forward. So we do all that in this bill.

I am proud of a lot of provisions in this bill, but one of them is what we call WIFIA—the Water Infrastructure Finance and Innovation Act. It is a way to assist localities in need of loans for flood control or wastewater and drinking water infrastructure to receive these loans upfront.

Let me explain that. We expanded a program called TIFIA in the transportation bill dealing with transportation infrastructure. We said where a local government or a region came forward with, say, a sales tax or bond for a series of transportation projects, and they wanted to move quickly and build them in a shorter timeframe, as long as they had that steady stream of funding, the Federal Government, with virtually no risk, could advance these funds and let them build these projects quicker, creating jobs and improving the infrastructure quicker.

So we did this same thing with water. It is a small project, and it is not a replacement for our existing funding through the corps and EPA, but it is a supplement. It is a supplement that would help existing programs leverage more investment in our infrastructure. So WIFIA will allow localities an opportunity to move forward with water infrastructure projects in the same way TIFIA works.

This bill is critical. I mean, let's just say what it is. I know there are people who will offer amendments on subjects ranging—well, let's just say broad-ranging subjects. And it is their right to do it. Senator VITTER and I know that, and it is what it is. It is the Senate and people will come forward. But we hope we will not get bogged down on these nongermane amendments because so much is at stake.

I think this would be a good time for me to mention some of the supporters of our bill: the American Association of Port Authorities, the American Concrete Pressure Pipe Association, the American Council of Engineering Com-

panies, the American Farm Bureau, the American Foundry Society, the American Public Works Association, the American Road and Transportation Builders Association. This list goes on and on.

I ask unanimous consent to have printed in the RECORD the list of these supporting organizations.

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

NATIONAL ORGANIZATIONS SUPPORTING S. 601

American Association of Port Authorities, American Concrete Pressure Pipe Association, American Council of Engineering Companies, American Farm Bureau Federation, American Foundry Society, American Public Works Association, American Road and Transportation Builders Association, American Society of Civil Engineers, American Soybean Association, Associated General Contractors of America, Association of Equipment Manufacturers, Clean Water Construction Coalition, Concrete Reinforcing Steel Institute, Construction Management Association of America, International Liquid Terminals Association, International Propeller Club of the United States.

International Union of Operating Engineers, Laborers International Union of North America, Management Association for Private Photogrammetric Surveyors (MAPPS), NAIOP, the Commercial Real Estate Development Association, National Grain and Feed Association, National Ready Mixed Concrete Association, National Retail Federation, National Society of Professional Surveyors (NSPS), National Stone, Sand & Gravel Association, National Waterways Conference, Inc., Plumbing Manufacturers International, Portland Cement Association, The American Institute of Architects, The Fertilizer Institute, U.S. Chamber of Commerce, United Brotherhood of Carpenters and Joiners of America, Waterways Council Inc.

Letter signed by 160 organizations to Members of the United States Senate (April 29, 2013).

Mrs. BOXER. I will say that we are looking at the U.S. Chamber of Commerce supporting this bill, the United Brotherhood of Carpenters and Joiners of America, the Waterways Council, Inc., and the Plumbing Manufacturers, International. Wherever we look, whether it is business or labor, whether it is governmental entities—even the American Farm Bureau Federation, as I said, and Laborers International Union of North America—it is a really important bill. Even the Commercial Real Estate Development Association. Why? Because they know if you are going to sell a house in an area that gets flooded, you need to address the flooding problems. So we do address flooding problems.

We do address port deepening. Believe me, without these port deepening in a lot of our ports—not all our ports need to do it—commerce could come to a halt, and I would say almost a screeching halt. There may be better terminology, but you have to dredge those ports to a certain depth so those vessels can move in and out.

Let me talk about just one area in my home State. Senator VITTER and I often say we see the world a little differently—or a lot differently when it

comes to a lot of issues, but when it comes to infrastructure, we have a lot in common. He had to face the horrific catastrophic situation during and after Katrina, and I look at that issue and say: Oh, my Lord, if we had something like that happen in Sacramento, what would happen? We have so many more people than they have in his State. We have more commerce there. We have the seat of the State government in the Natomas Basin. So we have to strengthen the levees, and we are talking about \$7 billion in property. So we are talking about a need to prevent terrible flooding.

Now, that is just one area of my State—and I want to thank Congresswoman DORIS MATSUI for all the work she has done over on the House side, and the many others who have helped her over there. I just mention her name because she has been so involved in representing Sacramento.

Our bill provides lifesaving flood protection for more than 200,000 residents of Fargo, ND, and Moorhead, MN, who have been fighting rising waters in recent weeks, just as they do most years after the spring thaw. The bill will restore the viability of the levee system that protects Topeka, KS. These levees protect thousands of homes and businesses, and this project will return over \$13 in benefits for every dollar invested.

I know our current Presiding Officer is a fiscal conservative. We are talking about a bill that invests \$1 and gets \$13 back. So flood control and flood protection are critical. All we have to do is look at Sandy to see what happened and look at the cost—one event, \$60 billion. So if we were to invest a portion of that into trying to mitigate these problems before they start, that is what the WRDA bill is all about and why it is so important and essential. So I hope it doesn't get bogged down in extraneous amendments.

I talked about the ports. One of those projects is in Texas, to widen and deepen the Sabine-Neches Waterway, which will have over \$115 million in annual benefits. It transports 100,000 tons of goods every year. It is the top port for the movement of commercial military goods.

Whether you are in a red State, whether you are in a blue State, whether you are in a purple State or, frankly, any other State if there are any, you are protected in this bill. You are covered in this bill.

Look at Florida, the Port of Jacksonville, with safety concerns there for ships entering and exiting this port because of dangerous cross currents. This bill will make it possible to protect that port.

Critical ecosystem restoration: The Florida Everglades. If you have never been to the Everglades, you should go to the Everglades. It is a miraculous place, a God-given treasure. We have to restore it. It needs our attention. We definitely have four new Everglades restoration projects that will move forward in this bill.

For the Chesapeake Bay and the Columbia River Basin, we enable the Corps to work with States along the North Atlantic coast to restore vital coastal habitats from Virginia to Maine, and allow the Corps to implement projects to better prepare for extreme weather in the northern Rocky Mountain States of Montana and Idaho.

In addition—this is important. I talked a little bit about Superstorm Sandy—we have a new extreme weather title I am very proud of. This will enable the Corps to help communities better prepare for and reduce the risks of extreme weather-related disasters. How does it do it? For the first time, the Boxer-Vitter bill allows the Corps to conduct immediate assessments of affected watersheds following extreme weather events. For example, if this had been operational right after Katrina, the Corps would have gone right in there. They would not have had to wait for an authorization. They would not have had to wait for an emergency supplemental. They would have identified and constructed small flood control projects immediately, such as building levees, flood walls, restoring wetlands, and would not have to go through the full study process and receive authorization.

After an extreme weather event—Senator VITTER and our whole committee believe it is an extraordinary circumstance—if you can move in there and mitigate the damage right away, you should do that with these smaller type projects. In this extreme weather title we also require the Corps and the National Academy of Sciences to jointly evaluate all of the options for reducing risks, including flooding and droughts, including those related to future extreme weather events because as far as we can tell, there is no specific study that looks at the future.

The cost of this bill comes in well below the last WRDA bill and we move toward a better use of the harbor maintenance trust fund. Let me be clear. Senator VITTER and I both believe it is a critical issue to use the harbor maintenance trust fund for harbor maintenance. It seems to me to be fair and it seems to him to be fair. But what has happened over the years, because we have these budgetary problems, is the harbor maintenance trust fund is used for other uses. We wanted to totally take that fund away and save it for harbors. It was not going to happen. There was too much controversy around it.

What we were able to do, though, is to make sure the appropriators knew our concerns. Senator MIKULSKI and Senator SHELBY worked with us on a letter and it commits to helping us move toward the new authorization levels in this bill which ratchet up spending on the ports.

We also make sure that some of our ports that are donor ports—let's say the one in LA and Long Beach, that do not have issues of deepening of the

channel, that need to use those funds for other uses—get a chance, when those moneys come in, to get it back. Some of my people are paying in pennies on the dollar. It is not fair.

We do try to address the issue of the larger ports, even the smaller ports, Great Lakes, the seaports that are large donors to the fund. We make important reforms of the inland waterways system, which is critical for transporting goods throughout the country. Expediting project delivery is something we do.

I want to take a moment here. I want to be unequivocal on this project delivery piece. I stand here with credentials going back forever. In my case it is a long time. I can say very proudly that every single environmental law stays in place in this bill. As a matter of fact, we have a savings clause which specifically says all these laws stay in place.

Senator VITTER and I have a little disagreement over environmental laws. We have to work together. He stepped up and said: Look, some of these agencies are holding up projects for years and we are not getting our projects done. I thought he had a point. So together we worked on a compromise. It is not everything he wanted; it is not everything I wanted. But we are moving forward while saving all the environmental laws by making sure that when the Corps has a project and they complete their work, they issue something called a ROD, a record of decision. We make sure all the agencies now are involved in setting the timetable for that ROD. Then the agencies have an additional 6 months after the date they approved of to get their comments in. If they do not, yes, they will get a penalty.

Frankly, I think that is important. We do cap those penalties, but the fact is we are here to do the people's business. As long as we protect everyone's rights, which we do, and we bend over backward to make sure all the agencies are involved, making sure the timeframes around a ROD are fair and they are involved, we say, yes, you have to step to the plate.

I have examples in my State where the agencies have taken such a long time—whether, frankly, it is an environmental project or a construction project, flood control—where agencies are not talking to each other. Senator VITTER and I believed it was important to send a message.

Look, the administration doesn't love this and we understand it. But that is why we have separation of powers here. We say it is only right to work together. Our bill is not perfect, we know that, but I will tell you we support 500,000 jobs, we protect people from flooding, we enable commerce to move through our ports, we encourage innovative financing and leveraging of funds, and we begin the hard work of preparing for and responding to extreme weather. I defy anyone to tell us another bill that does those things—

protects jobs, protects people from flooding, enables commerce to move through our ports, encourages innovative financing, even more jobs, and preparing for and responding to extreme weather.

I want to talk about a couple of people by name here. I will do more people later. I want to mention, of course, first and foremost Senator VITTER, who has been a pleasure to work with. We have had our moments where we have not agreed. Our staffs had their moments when they did not agree. We never got up in anger. We never walked away from the table. We stayed at the table. To me that is so important. We did it on this bill. I wish we could do it on others, but that is another day. But we are certainly doing it on this bill. First and foremost, I thank him.

Next, I thank Senators MIKULSKI and SHELBY for writing a letter to us. It is not all we want but it is a show of good faith and I think it is precedent setting, that we have this letter saying they are going to do everything in their power to help.

I thank Senator VITTER's colleague, Senator LANDRIEU. She has worked behind the scenes with me since Katrina, and I know the two of them have worked together. I think her efforts matched with Senator VITTER's are very important for Louisiana.

I have been to Louisiana many times. I have warm relationships there. I certainly helped when it came to the RESTORE Act, and I certainly intend to remember everything the people there went through and to follow through on my commitments to them.

In this bill we are fair to Louisiana, we are fair to California, we are fair to the Great Lakes, we are fair to the small port States, we are fair to the medium port States. We have done everything. We are fair to the States that have ports that now have competition from international ports. I do believe if we can get through some of the sticky wicket of some amendments that don't have anything to do with this, if we can get through with that, we will have a very good, strong, bipartisan bill. I honestly also believe Chairman SHUSTER in the House will move forward as well. He is a terrific person to work with and I enjoy working with him as well. If we produce this work product and we can get it done this week—which I hope we can—it will make a big difference.

Before I turn it over to Senator VITTER, let me say for the interests of all Members, we are working on an agreement that will allow us to go to a couple of amendments a side. One of them will be the Whitehouse amendment. A couple will be by Senator COBURN. We are looking at other amendments. We hope we can have votes this afternoon. We don't know at this point. That is certainly the hope of Senator VITTER and myself. We would very much like to proceed.

I yield the floor.

The PRESIDING OFFICER (Mr. MANCHIN). The Senator from Louisiana.

Mr. VITTER. Mr. President, I join my colleague in rising in support of this strong, bipartisan, reform-oriented Water Resources Development Act bill. In doing so, I thank and salute Senator BOXER for her leadership. More than anyone else, she got us to the floor today with a strong, solid bill.

As Senator BOXER mentioned, very early on in our discussions about the work of the EPW Committee in this Congress, we set a good, solid, bipartisan, reform-oriented WRDA bill as our top immediate goal in terms of something the committee could produce and actually pass into law. In fact, those discussions even started between her and myself, in particular, before the start of this Congress. Of course they continued and they ramped up in a meaningful and substantive way. Through that give-and-take and through that real commitment to work in a bipartisan fashion on infrastructure, on jobs, on issues on which we can agree, this bill resulted.

Again, as she mentioned, we do not agree on everything. We do not agree on everything in the committee, and that committee is often very contentious and divided along ideological lines. But this is a subject where we can agree and work productively together because this bill is about infrastructure and jobs. Certainly we can come together around that. That is what it is fundamentally about—water infrastructure, commerce, and jobs. That is why the Alliance for Manufacturing said almost 24,000 jobs will be created for every \$1 billion invested in levees, inland waterways, and dams. This bill does several billion dollars of that. That produces jobs because it is building the necessary infrastructure we need for waterborne commerce. Ultimately that core, that theme, that common goal is what brought us effectively together.

The proof of that is seen in the committee consideration of this bill. As you may know, the EPW Committee is a divided committee. On many key issues before us we are very divided between Republicans and Democrats. Yet because of this focus in the bill on maritime commerce, jobs, infrastructure, we won an 18-to-0 committee vote to report the bill out favorably and bring it to the floor.

Let me talk for a few minutes about exactly what is in the bill. I want to go through the highlights. I think they can best be summarized by focusing on 10 specific points, what is in the bill, what the bill does, sometimes, just as importantly, what is not in the bill and what the bill does not do.

First of all, the bill does not increase deficit and debt in any way. There is no negative impact on deficit and debt. Related to that, No. 2, there are no earmarks in the bill. The current rules of both conferences are not to support and sponsor earmarks. There are no earmarks in the bill.

What does the bill affirmatively do? No. 3, it authorizes 19 significant

projects for flood protection, navigation, and ecosystem restoration. Yet at the same time, even on the authorization side, we create a mechanism—I thank Senator BARRASSO for contributing this important element to the bill—we create a BRAC-like commission to deauthorize some old projects which are not being acted upon, which are not getting built. Because of that new BRAC-like deauthorization commission, even on the authorization side, we should have a net-neutral impact on authorizations. The way we have structured it, we should not be increasing overall net authorizations.

No. 4, we have made substantial progress and reforms to the Harbor Maintenance Trust Fund and spending on dredging and other Harbor Maintenance Trust Fund projects.

As Senator BOXER mentioned, it has been an enormous frustration to many of us that this so-called trust fund is raided every year so that even in a good year, half of the supposedly dedicated revenue from the industry in those trust funds is used for other purposes. Again, this is revenue from the maritime industry. It is supposed to be protected and dedicated for dredging and other delineated purposes, but even in a good year, half is used for other things, with deficit spending.

We have negotiated with all Members of the Senate, including the leaders of the Appropriations Committee, and I think we have made substantial progress. I think we have made a big move in the right direction so we ramp up harbor maintenance trust fund spending for dredging and other delineated purposes.

In a few years—between now and roughly 2019, 2020—we have a steady ramp-up. We spend more of that trust fund on the agreed-upon delineated purposes every year. We are building toward full spend-out of the trust fund. Again, this is a product of a lot of discussion and goodwill negotiation with other Members of the Senate, including leaders of the Appropriations Committee, which is a major and positive element of this bill.

No. 5, we also made important reforms and changes to the Inland Waterways Trust Fund. Again, there has been real frustration that those inland waterways trust fund projects have been languishing and have not properly received the resources they need to be completed and get off the books. We have made real reforms on the Inland Waterway Trust Fund side that will have important and positive impacts to get those important projects built.

No. 6, we provide non-Federal sponsors of many of these projects more project management control in both the feasibility study and the construction phases of projects. This has been an idea in a stand-alone bill of Senator BILL NELSON of Florida and myself. We incorporated that reform—that pilot project—into this WRDA bill.

In several significant cases, on a sort of experimental basis, we are going to

ask the non-Federal sponsors to take over project management control. We think that is going to allow these projects to get built quicker and more efficiently for less money.

No. 7, we require more accountability of the Corps of Engineers on project schedules. We increased public disclosure of internal Corps decisions, and we actually penalized the Corps for the first time ever when they missed significant deadlines. Again, Senator BOXER mentioned this.

We had discussions right out of the box and came to the agreement that we are not going to lower the bar about environmental review; we are not going to substantively change any environmental or other requirements. What we are going to do is make sure that agencies which are involved do their work in a timely and expeditious way, and that has to start with the Corps of Engineers in terms of these projects. We do that with much heightened Corps accountability.

No. 8, in a similar vein, we accelerate the NEPA and project delivery process to ensure that projects are not endlessly held up by government bureaucracy, tangles, and redtape. Again, it is exactly the same approach and agreement I mentioned with regard to point No. 7. We are not changing standards or lessening our requirements. We are appropriately streamlining the process and saying: Everybody works on deadlines, and the Federal agencies involved have to work on and respect those deadlines as well. If they miss them over and over and over, there will be negative consequences, and that is an important reform element to this bill.

No. 9, as Senator BOXER mentioned, we provide an innovative financing mechanism for water resource projects as well as water and wastewater infrastructure projects. It is called WIFIA because it is modeled on the TIFIA Program on the transportation side, and it is very much the same basic idea. TIFIA has long been a model to build public-private partnerships and has helped to finance important transportation infrastructure projects.

On the last highway bill last year that I helped work on and Senator BOXER led on, we expanded the TIFIA Program. Here we are using the same positive model for a WIFIA program.

Finally, No. 10, we provide more credit opportunities for non-Federal sponsors either in lieu of financial reimbursement or cross-crediting among projects so they can more reasonably meet their wetlands mitigation and other needs.

Wetlands mitigation requirements have grown much more onerous and expensive over time in a lot of places of the country, including Louisiana. This is simply intended to give people, local government, private industry, and others, more options. It is not to lower the standard for that mitigation, but it allows for more options to meet the standard and goals in a more efficient

and less costly way. So we do that through these credit opportunities.

Those are the important and 10 key highlights of the bill. Again, I think it is a genuine bipartisan reform-oriented effort that is, at its core, about water infrastructure, waterborne commerce, jobs, and hurricane and flood protection.

As I mentioned at the beginning, the clearest proof of that is committee consideration and committee vote. There are not many things that ever get an 18-0 vote in the Senate EPW Committee, but this did. Strong conservatives and strong liberals voted with a result of 18-0. I am very proud of that, and I think that gives us a very productive path forward.

Speaking of the path forward, let me underscore and emphasize what Senator BOXER has laid out. We want to have votes; we want to process amendments. There is no goal here to frustrate that in any way by me or Senator BOXER or anyone. In my opinion, to get that ball rolling, the best way to get there is to start taking up amendments and having votes so we can build on that momentum. What we are going to propose in the very near future is that our substitute amendment be adopted by unanimous consent to be the underlying bill. It is noncontroversial. It incorporates the ideas and suggestions of dozens of Senators. There is nothing controversial in it. In fact, the only thing it does is remove some potential controversy in the bill. So we are going to ask the full Senate allow us, by UC, to adopt that as the underlying bill.

We are also going to immediately ask to have debate and votes on three or four beginning amendments. I believe those, in fact, are going to be non-germane amendments. I think that underscores and illustrates our goodwill about processing amendments, getting it going, taking amendments, having votes, and getting through this process.

I would suggest, as Senator BOXER did, that we try to continue to focus on the important subject matter of the bill and not endlessly or needlessly go far afield. But I do think that proposing these amendment votes straight out is an important gesture of goodwill to set the right precedent and tone for a full and open debate on the floor, and so that is what we are going to do.

As soon as that UC request is drafted and ready, I will come to the full Senate with that. If we can gain consent for that, I think it will start us on a very productive path, both to consider the bill and to process amendments and have votes.

Clearly those amendments would not be the end of it, by far. We are already keying up some amendments to come forward right after that so we can debate those maybe tonight. If we do that, we can vote on those as soon as possible, perhaps in the morning, and go from there. That is my goal and expectation in terms of the near future, which Senator BOXER shares. Hopefully

we will return to the full Senate quickly with that request.

Thank you, Mr. President.

I yield to the distinguished Senator from Rhode Island.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, let me thank the distinguished Senator from Louisiana for his hard work, along with Chairman BOXER, to get us to this point, which I think is a very auspicious point with a very bipartisan bill on the floor and with the Senate on the cusp of an agreement that will allow us to implement the managers' amendment and call up the first tranche of Senate amendments.

I thank him and the Chairman for agreeing that an amendment of mine will be one of that first tranche of amendments. I am not going to call it up now because the agreement is not finalized, but I will discuss it so we can save time later on once the bill is pending.

My amendment would establish a national endowment for the oceans, coasts, and Great Lakes. Our oceans and our coasts face unprecedented challenges. Our coastal States, including our Great Lakes States, badly need this endowment. Water temperatures are increasing, the sea level is rising, and ocean water is growing more acidic.

Right now, we as a country and we as States and local communities are ill prepared to engage in the research, restoration, and in the conservation work that is necessary to protect our coastal communities and our coastal economies.

The noted ocean explorer Bob Ballard, who famously discovered the wreckage of the Titanic at the bottom of the Atlantic, has said:

a major problem . . . is the disconnect between the importance of our oceans and the meager funds we as a nation invest not only to understand their complexity, but to become responsible stewards of the bounty they represent.

Just how large is that bounty our Nation reaps from our oceans? Well, in 2010, marine activities such as fishing, energy development, and tourism contributed \$258 billion to our U.S. gross domestic product and supported 2.8 million jobs. Along our coasts, shoreline counties, which actually include many of our biggest cities, generated 41 percent of our GDP, which is \$6 trillion.

Coastal communities are the engines of our economy, and changes in the oceans put that economy at risk. We must find ways of using these vital resources without abusing them.

Last month the Democratic Steering and Outreach Committee heard from scientists and industry leaders from across the country who are deeply worried about threats to our oceans. On the Pacific Coast, ocean acidification is killing off the oyster harvest—a major cash crop for that region. They are being killed off by sea water too

acidic for the larval oysters to form their shells.

Live coral in some Caribbean reefs is down to less than 10 percent, which is bad news for Florida, which usually sees over 15 million recreational dives every year. Think of what those 15 million dives mean for Florida's economy. This not only affects the dive boats and trainers who take people out for scuba diving, but for hotels, restaurants, and retailers.

Evan Matthews, the port director for the Port of Quonset in my home State of Rhode Island, spoke on behalf of America's port administrators to tell us that rising sea levels make port infrastructure more vulnerable to damage from waves and storms.

Virtually all of our economy is touched by what goes through our network of coastal ports, and damage to any of them—since they work as a network—could disrupt the delivery of vital goods not only to coastal States but to inland States as well. So it affects all of us.

But for the coastal States, this is very big. We have work to do preparing for changes in our oceans and preventing storm damage such as we saw in Superstorm Sandy. We need to reinforce natural coastal barriers such as dunes and estuaries that help bear the brunt of storm surges as well as acting as nurseries for our bounty of fish. We will need to relocate critical infrastructure such as water treatment plants and bridges, which are increasingly at risk of being washed away. We need to understand how ocean acidification and warming waters will affect the food chain and our fishing economies. We need to know where the high-risk areas are so coastline investors can understand the geographical risks.

These are coastal concerns, but they have implications for all 50 of our States. If you eat seafood or take a beach vacation in the summer, this concerns you. If you have purchased anything produced outside the United States and imported through our network of coastal ports, this concerns you. According to 2011 data from the National Oceanic and Atmospheric Administration, 75 percent of U.S. imports arrived on our shores through our ports, so they probably should concern you.

The National Endowment for the Oceans, Coasts, and Great Lakes can help coastal States and communities protect more habitat and infrastructure, conduct more research, and clean more waters and beaches. The need is great and we must respond.

This amendment will just authorize the National Endowment for the Oceans, Coasts, and Great Lakes. We will have to figure out how to fund it later. When we have figured out how to fund it, the endowment would make grants to coastal and Great Lakes States, to local governments, to planning bodies, to academic institutions, and to nonprofit organizations to learn more about and do a better job of protecting our coasts and oceans.

It would allow researchers to hire technicians, mechanics, computer scientists, and students. It would put people to work strengthening or relocating endangered public infrastructure. It would help scientists, businesses, and local communities work together to protect our working oceans, and it would protect jobs by restoring commercial fisheries and promoting sustainable and profitable fishing.

How great is the need for these projects? We know because a few years ago NOAA received \$167 million for coastal restoration projects through the American Recovery and Reinvestment Act. When they asked for proposals, more than 800 proposals for shovel-ready construction and engineering projects came in—projects totaling \$3 billion, seeking that \$167 million in funding—projects from Alaska to Florida to the Carolinas to Maine. But NOAA could only fund 50 of the 800. The National Endowment for the Oceans will help us move forward with more of these key projects to help protect our oceans and drive our economy.

We will continue to take advantage of the oceans' bounty, as we should. We will trade, we will fish, and we will sail. We will dispose of waste. We will extract fuel and harness the wind. We will work our working oceans. Navies and cruise ships, sailboats and supertankers will plow their surface. We cannot—we will not—undo this part of our relationship with the sea. But what we can change is what we do in return.

We can, for the first time, give a little back. We can become stewards of our oceans—not just takers but caretakers—and we must do this sooner rather than later, as changes to our oceans pose a mounting and nationwide threat.

Let me quote Dr. Jeremy Mathis of the University of Alaska, who said this recently:

This is going to be a shared threat. . . . [I]t's not unique to any one place or any one part of the country. And so we're going to have to tackle it as a nation, all of us working together. . . . Whether you live along the coast of Washington or Rhode Island, or whether you live in the heartland in Iowa, this is going to be something that touches everybody's lives.

So today I urge my colleagues to join me in supporting this amendment to authorize the National Endowment for the Oceans, Coasts, and Great Lakes. It will not obligate any funding. We will figure out later an appropriate way to fund it. But at least help our Nation take this important step protecting our oceans and coasts; protecting the jobs they support through fishing, research, and tourism; protecting the stability of our national economy, which depends on ports and maritime activity; and, of course, protecting the property and the lives of the millions of Americans who live and work near the sea.

Colleagues, you can help us become, as Dr. Ballard said, "responsible stewards of the bounty [the oceans provide]."

For those who are not sure, let me add one further consideration for my colleagues, a Senate consideration. This endowment, together with funding—indeed, permanent and directed funding—was part of a negotiated package with billions of dollars in benefits to America's gulf States. For reasons that are not worth discussing and are no one side's fault, that agreement was broken and this part of that deal fell out. If you believe people should keep their word around here, if you believe agreements forged in the Senate should stick, then I would ask my colleagues, just on those grounds, to support this partial repair of that broken agreement.

I look forward, for that and other reasons, to having bipartisan support for this amendment, and I hope we can make a strong showing in this body to carry it forward as part of this important water resources development legislation.

With that, I will take this opportunity to yield the floor. Seeing no one seeking recognition, 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. BLUNT. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. BOXER.) Without objection, it is so ordered.

Mr. BLUNT. Madam President, I would like to talk about an amendment to this bill that could be offered later. I am not offering it at this time. I am being joined in this amendment by my good friend from Florida, Senator NELSON.

This amendment would be a suggestion about what we can do to be sure the things we build have a better chance of lasting, construction that meets real stress.

In both of our States, in Missouri and Florida, we have some significant experience with weather conditions that are damaging to people and property. On May 22, 2 years ago, 2011, in Joplin, MO, right on the Arkansas and the Oklahoma border, we had an EF5 tornado hit that community. It killed 61 people. It destroyed 7,000 homes, 500 businesses, and damaged others. This was a huge impact on people and the homes they had, the businesses they had. As they rebuilt, the cities tried to focus on rebuilding in a way that would protect lives and save money if something like that happens again by creating structures that can withstand the most severe storms there and in other places in our State.

We have had many stories over the years. There are people who literally got in the freezer in the garage or in the utility room or people who got in the bathtub and then pulled a mattress on top of themselves and tried to ride out the storm, and they would just as soon not do that.

I think the term that is used that we are going to be talking about is "resilient construction"—construction that has the potential to substantially reduce property damage and loss of life resulting from natural disasters, homes and businesses that can withstand disasters, that can protect people during storms. As more disaster resilient building is done, there is less to clean up, there is less property damage, and the insurance rates are impacted in not as big a way because not so much has to be rebuilt because not so much was destroyed.

Those techniques, those resilient building techniques, can be as simple as just using longer nails or strapping down the roof so it has that one added level of security to the roof before the shingles go on. There are many simple and easy steps builders can take to ensure that a home or a business has the best chance to withstand these disasters.

This amendment that we would hope would be offered at the appropriate time later would simply add resilient construction to the list of criteria the National Academy of Sciences and the Government Accountability Office are directed to study. This adds this one thing to it from a commonsense perspective. It is obvious why knowing what building techniques work and what building techniques do not work makes a difference—the ones that minimize damage, that prevent the loss of life, that reduce the government disaster aid that has to be expended in these disasters, that are too big for families and communities and States to handle on their own.

While we are unable to predict when and why a storm might occur next, we do know there will be other problems that need to be dealt with. So studying the impact of construction techniques in storm situations is something I believe we should do. I think this would be an added benefit to this bill. At the appropriate time, I look forward to calling the actual amendment up or asking someone else to see that this amendment is called up so that my colleagues have a chance to vote on it.

I know my cosponsor, Senator NELSON, is here on the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON. Madam President, indeed I want to talk about this amendment and why it is a good thing, but I first want to compliment the chairman of the Environment and Public Works Committee, who is not seated at her desk in the Chamber, but she is seated as the Presiding Officer.

I want the chairman of that committee to know that she must be Merlin the Magician because in rapid fashion she brings the bill out of her committee and to the floor, along with her ranking member, the Senator from Louisiana, Mr. VITTER. This water bill is so important to the future of this country, and it is so important to infrastructure in this country. I commend the chairman and the ranking



member for the rapidity with which they have worn out the leadership in order to get the leadership's attention to bring it to the floor.

What Senator BLUNT and I are sponsoring is common sense. Anybody who has been through a hurricane, tornado, or any other kind of natural disaster knows what new building codes have done. There is a fancy new term now called "resilient construction," and the resilient construction is making it more resilient in withstanding a natural disaster.

I will never forget flying in a National Guard helicopter after a monster hurricane in 1982—Hurricane Andrew—that hit a relatively unpopulated part of Miami-Dade County, the southern end, and it ended up being a \$20 billion-insurance-loss storm. Had it turned 1 degree to the north and drawn a line on northern Dade County—Southern Broward County—in other words, north Miami and south Fort Lauderdale—it would have been, in 1992 dollars, a \$50 billion-insurance-loss storm. That would have taken down every insurance company that was doing business in the path of the storm.

We had that warning, and we saw the results of the lack of attention to resilient construction—in other words, the building codes.

As I flew over that area of Homestead, FL, in the National Guard helicopter, everything was wiped out in homeowner areas, completely wiped out. They were gone. They were a bunch of sticks. As a matter of fact, the trees were sticks. There were no leaves and limbs left. In downtown Homestead, there were two things that were left standing: one was the bank, and the other one was an old Florida cracker house built back in the old days when they built to withstand hurricanes.

I will never forget going through and meeting the head of Habitat for Humanity. He told us stories about how he had a "Habitat for Humanity" sign on his briefcase, and when he walked through the airport, people would come up and say: Oh, you are with Habitat. I want you to know that all of your homes survived.

They would ask him: How did your homes survive?

He would answer and say: Inexperience.

They would say: Inexperience? What do you mean?

He would say: Well, since our homes are built by volunteers, instead of driving 2 nails, they would drive 10 nails.

This is resilient construction—extra straps on the rafters, building to the codes that will withstand the wind.

Senator BLUNT was talking about some of his constituents in Missouri and this tornado. Well, my wife Grace and I were in our condominium in Orlando, and all of a sudden—did you know that the new smartphones beep when there is a national weather warning, and you pick up—I mean, I haven't turned it on, and it will beep anyway.

It says: Severe weather warning. A tornado is en route. Take cover. And I look at our condo, and it has all these glass windows, and I am thinking, what inner room can I go in? Since we have a two-story, what I decided to do was go into the elevator and put it down to the bottom floor as a place for taking cover. In Missouri, there are plenty of basements that are specifically built for the purpose of taking cover. This is what we want the construction industry to do.

What the Senator from Missouri and I are doing is saying to the National Academy of Sciences: We want you to come up with additional studies on how our people can save lives and save property with resilient construction. That is simply what this amendment does.

I would conclude by saying, my goodness, do we need another reminder of Katrina? Remember, the Katrina problem was not the wind; the Katrina problem was the wind on the back side coming across Lake Pontchartrain that caused the water to rise. The levees weren't there, and it breached the levees, and that became a multiple hundreds of billions of dollars storm. We should have learned our lessons there. Sometimes resilient construction is not only about people's homes, but it is about dikes and levees as well.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Madam President, I thank my colleagues from Missouri and Florida for this very worthwhile amendment. I will certainly be supporting it. The plan is to have this in the second set of amendments for votes, absolutely, as soon as we can proceed to votes. That is the plan, which I fully expect to be executed. I thank them for their work and for their contribution.

In the same vein, we are expecting Senator INHOFE to join us on the floor to also present without formally calling up his germane amendment. That way, we will have that discussion ahead of time, and that also will be all teed up for the second set of amendments we hope to have on this bill.

I hope what this underscores is that we have a pretty good plan to move forward quickly, to start having votes. Sometimes around here we want to settle every possible discussion about every possible amendment vote out there. In my opinion, it is more productive to start because you can't finish unless you start. I think we want to start having important votes, including nongermane votes, and get to absolutely every amendment we can. I think we are on that path. Hopefully we will be doing that today and then formally presenting and voting on the Blunt-Nelson amendment as well as the Inhofe amendment and other amendments tomorrow.

I suggest the absence of a quorum.

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

The bill clerk proceeded to call the roll.

Mr. PRYOR. 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. PRYOR. Mr. President, I ask unanimous consent there be a period for debate only until 5:30 p.m.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I want to mention a couple of things. First of all, the Senator from Arkansas and I have a very significant amendment, and one we will want to talk about. In fact, it is an amendment we had during the discussion on the amendments for the budget bill at something like 4 o'clock in the morning. At that time we were able to get it passed without a dissenting vote, so it is one we should be able to get through.

I will yield to the Senator from Arkansas in a moment, but before doing that I want to mention we have a set-aside amendment I am very concerned with. I certainly think the Senator in the Chair, as well as the Senator from Arkansas will both be very appreciative of this and supportive of it since they have a lot of small communities in their States, as I do in my State of Oklahoma. It uses the threshold of 25,000 people—any community that has 25,000 people or less—in order to take advantage of this set-aside money that would come within the WRDA bill.

Now, here is the problem we have. A lot of the small communities in my State of Oklahoma—and I would suggest the States of West Virginia and Arkansas are in the same situation—are not large enough to have an engineer or someone who is going to be able to put grants together. So we take 10 percent of the total amount and put it in there as a set-aside for these small communities.

This is a formula we have used before. We used the 25,000 benchmark before in the Transportation bill, in the WRDA bill, and in the farm bill, so it is one that is fairly well-accepted, and it provides a pot of money—it doesn't cost us; it is not scored—from the overall money to be reserved for the small communities, such as my communities in the State of Oklahoma.

I understand we are not to call up amendments right now, and that is fine with me, but that is one we will be offering. As I said, in just a moment I will be yielding to the Senator from Arkansas. In the meantime, I would call on the memories of those in this body back to when we had our all-night session about a month ago and the amendments that were there on the budget bill.

One of the amendments we passed was an amendment that would allow the SPCC to have farms exempt from the SPCC—the Spill Prevention Containment Control Act—so that the

farms in my State of Oklahoma and throughout America would not be treated as refiners.

Spill prevention is a very expensive process. It is one that would require double containers for farms. This is a good example.

This happens to be a container on one of the farms in my State of Oklahoma, where you have a total amount of gallons of fuel from gas or oil or other fuels. If they are less than 10,000 gallons, they would be exempt. If they are less than 42,000 gallons, they would allow them to not do it through a professional engineer but do it just within their own resources—in other words, set their own standards.

This is my State of Oklahoma. This happens to be the well-discussed pipeline that goes through Cushing, OK. This is one of the central points where oil comes in and then goes out. It comes from the north and goes back down to Texas. But these are containers that should be subject to the jurisdiction that is prescribed for refiners for the containment of oil and gas. That is what that is about. This is not what that is about. This is just a typical farmer.

I have talked to farmers, and after that amendment passed—and the occupier of the Chair will remember this because he was a very strong supporter of this particular amendment—we had phones ringing off the hook from the American Farm Bureau and all the others saying this is something that is reasonable. But here is the problem. That would have expired on May 30, and all we did with that amendment was extend that exemption to the end of the fiscal year.

So if that passed without one dissenting vote, and if it is that popular, why not go ahead and have the same type of exemption put permanently in our statutes. That is what our plan is—to do that with the Pryor-Inhofe amendment.

Our amendment is supported by the American Farm Bureau, the National Cattlemen's Beef Association, the National Council of Farmer Cooperatives, the National Wheat Growers Association, the National Cotton Council, the American Soybean Association, the National Corn Growers, and USA Rice. So almost everyone having to do with agriculture is very supportive.

It doesn't totally exempt all farmers because it establishes three categories: one with farms where, if you add the aggregate and it is less than 10,000 gallons, they would be exempt; if they are in the next level up, between 10,000 and 42,000 gallons, they would be required to maintain a self-certified spill plan; and anything greater than 42,000 would have the total requirement, which means they would have to hire an engineer and go through all this expense.

I see the prime sponsor of this amendment is on the Senate floor, so I yield to the Senator from Arkansas.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. PRYOR. Mr. President, I thank my colleague and friend from Oklahoma. He was doing such a good job of explaining the amendment, I didn't want to interrupt him. But I thank him so much for yielding.

Later this week, all farms in the United States will have to comply with the EPA's spill prevention, control and countermeasures rule known as SPCC. That takes effect on May 10. But farms are not like other regulated entities in the SPCC realm. Farms are unlike other SPCC entities the agency has dealt with since 1973. They do not have, by and large, environmental manager personnel ready to follow through on these regs and to make sure they are in compliance with all the EPA stuff; whereas, other businesses with larger financial resources tend to have more resources and more people devoted to making sure they comply with all the EPA regulations.

Agriculture actually has a very good track record on fuel spills. Row crop farms, ranches, livestock operations, farmer cooperatives and other agribusinesses pose a very low risk for spills when we look at the statistics. Many of these tanks are seasonal, and they stay empty for large parts of the year. But they allow farmers to manage the high fuel costs they have to endure. In my State, it is mostly diesel—and probably mostly diesel in most parts of the country. In fact, when we look at the data, spills on farms are almost nonexistent.

This is a commonsense amendment, and I want to thank Senators INHOFE, FISHER, and LANDRIEU for joining me in this effort and taking this burden off of farmers and ranchers in implementing the SPCC rule.

Let me cite specifically what the amendment will do. It will provide realistic threshold sizes for tank regulation at the farm level and allow more farms to self-certify, thus saving time and money that would otherwise be spent in hiring professional engineers to develop and sign SPCC plans.

EPA's unusual 1,320 gallon regulatory threshold under the SPCC rule is not a normal tank size for agriculture. That may be normal in other contexts but not in agriculture. A 1,000-gallon size is much more common, and raising the threshold to 10,000 gallons in aggregate is a much more reasonable level for farmers and ranchers all over the country. So my amendment would allow most Arkansas farms—most farms in Oklahoma, and, in fact, most farms throughout the country—to use the aggregate storage capacity between 10,000 and 42,000 gallons to self-certify rather than going through the expense and time of hiring a professional engineer.

I look forward to working with the bill managers on this amendment.

I also have another amendment. I know these amendments would be objected to right now if we brought up the amendments—this is amendment No. 801—but at the appropriate time I would like to ask that it be made pending.

Mr. INHOFE. Mr. President, will the Senator yield?

The PRESIDING OFFICER. The Senator yields.

Mr. INHOFE. I think some people might have an objection to this amendment if they thought there were some bad actors out there who, in the past, have violated or done something, in which case they would still have to comply as if they had over 42,000 in storage. This was called to my attention, and I think in the drafting of this amendment the Senator took care of that problem, I do believe.

We discussed this, I remember, the last time at 4 o'clock in the morning when we had the amendment for the budget bill, and at that time we made it very clear. The SPCC was designed for refiners. It was designed for the big operations, such as that big operation we had a picture of from Oklahoma. It doesn't affect them. They still should be and do have to comply. But the literally thousands of farms that are out there that are just trying and barely getting by, they are the ones we are speaking of.

I know the Senator from Arkansas has them as well as we do in Oklahoma, and before the Senator moves to another amendment I just wanted to be sure that part of the amendment was included in this discussion because that would offset some of the opposition that might be there to this amendment.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. PRYOR. I thank the Senator from Oklahoma for pointing that out. I think he is exactly right. I am unaware of any real opposition to this amendment. There may be a little bit of opposition, but I am not aware of it. But I know we do have at least one Senator—maybe more—who is, temporarily at least, objecting to all amendments until his or a group of them can be agreed to or made pending.

I don't think any objection right now would be specific to this amendment. I also have another technical amendment that I want to call up at the appropriate time. It is not the right time now, but at the appropriate time I do have another technical amendment.

I thank my colleague from Oklahoma for his leadership and thank him for his effort, along with Senators FISCHER and LANDRIEU. This has been a team effort. It was bipartisan. We want to help American farmers. Again, the risk of spill on farms and ranches is just minuscule, almost nonexistent. If we look at the track record, there is a very good track record.

This is a good amendment, something we have been working on for a long time.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Mr. President, I again thank my colleagues from Arkansas and Oklahoma. I support their measure. I thank them for coming down and



laying out the argument explaining their measure even before it is formally presented because that will help expedite the process. We are absolutely working on that formal consideration and vote as soon as possible, just as we are on the amendment we talked about a few minutes ago, the Blunt-Nelson amendment.

I thank them for their work. I thank them for coming to the floor to expedite debate. We are absolutely working on proceeding to get to formal consideration of their amendment and a vote.

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

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

#### THE BUDGET

Mr. CRUZ. Mr. President, I rise in praise of Majority Leader HARRY REID. He said the following:

My friend from Texas . . . is like the schoolyard bully. He pushes everyone around and is losing, and instead of playing the game according to the rules, he not only takes the ball home with him but he changes the rules.

Today Leader REID continued his demonstration of civility by referring to me as the "very junior Senator from Texas."

As I noted yesterday, the Senate is not a schoolyard. Setting aside the irony of calling someone a bully and then shouting them down when they attempt to respond, today I simply wish to commend my friend from Nevada for his candor.

Yesterday I expressed my concern that sending the budget to conference could be used to pass tax increases or a debt ceiling increase through reconciliation—a backdoor path that would circumvent the longstanding protections of the minority in the Senate. And I observed that I would readily consent to the leader's request if he would simply agree that no such procedural tricks would be employed. It is perhaps rare for a so-called bully to offer to waive all objections if the other side will simply agree to abide by the rules, but I commend the majority leader for his response.

He did not disagree that he hoped to use reconciliation to try to force through tax increases or a debt ceiling increase on a straight party-line vote. He did not pretend that his intentions were otherwise. When the economy is struggling so mightily, as it is now—for the past 4 years our economy has grown at just 0.9 percent a year—it would be profoundly damaging to millions of Americans to raise taxes yet again, on top of the \$1.7 trillion in new taxes that have already been enacted in the last 4 years. And with our national debt approaching \$17 trillion—larger than the size of our entire economy—it would be deeply irresponsible

to raise the debt ceiling yet again without taking real steps to address our fiscal and economic crisis.

If done through reconciliation, the majority could increase taxes or the debt ceiling with a 50-vote threshold rather than needing 60 votes. The American people already saw ObamaCare pass through backroom deals and procedural tricks. It should not happen again.

The majority leader could have claimed that he had no intention of trying to undermine the protections of the minority or of forcing through tax increases or yet another increase in the debt ceiling. But, in a refreshing display of candor, he did not do so, and I commend him for his honesty, so that our substantive policy disagreement can be made clear to the American people.

Let me be explicit. We have no objection to proceeding to conference if the leader is willing to agree not to use it as a backdoor tool to raise the debt ceiling. If not, he is certainly being candid, but the American people are rightly tired of backroom secret deals to raise the debt ceiling even further. And we should not be complicit in digging this Nation even further into debt on merely a 50-vote threshold.

Finally, I would note that the leader made a plea to regular order, and yet he was seeking unanimous consent to set aside regular order, granting that concept could open the door to even more tax increases and crushing national debt, and in my judgment the Senate should not employ a procedural backdoor to do so.

For reasons unknown, the majority leader deemed my saying so out loud as somehow "bullying." Speaking the truth, shining light on substantive disagreements of our elected representatives, is not bullying; it is the responsibility of each of us. It is what we were elected to do. All of us should speak the truth and do so in candor. All of us should work together to solve the crushing economic and fiscal challenges in this country. All of us should exercise candor, and I commend the majority leader and thank him for his willingness to do so.

I yield the floor.

The PRESIDING OFFICER (Ms. WARREN). The Senator from California.

Mrs. BOXER. Madam President, just for the interest of all Senators, we are looking at some amendments which hopefully we can vote on tonight or early in the morning. It is one of those surprises to the American people that we are on a water infrastructure bill that deals with building absolutely necessary flood control projects and making sure our commerce can move through our ports—and we have money to deepen the channels and make sure our ports are working; they take those imports, they get those exports; it all works; critical infrastructure—and the first two Republican amendments are about guns.

Let me say it again. We are working on a critical infrastructure bill, and

the first two Republican amendments are not about jobs, not about business, not about commerce—about guns. So we will deal with that. We will deal with those amendments.

But I think the American people have to listen. When our colleagues on the other side of the aisle get up and talk about the economy, straight from the heart: This economy is not creating enough jobs, oh, my goodness, the first two amendments they offer on a critical infrastructure bill—that is so critical to business that the chamber of commerce has endorsed it, that every business that is involved in construction has endorsed it, that every worker organization has endorsed it, the National Governors Association has endorsed it—the first two amendments are not about jobs, they are not about commerce; they are about guns. So let's understand what we are dealing with.

#### BUDGET CONFERENCE

Now, I want to say to my friend from Texas—and I welcome him to the Senate—for 3 years his party has been following Democrats all over the country, yelling at us: Where is your budget? Get your budget done. For shame on you; no budget.

And what has he done, starting from yesterday? Objected to this country having a budget because he thinks maybe—he does not know this; he is guessing—that in a conference, where we try to negotiate the differences between the sides, something might happen that he does not like. Maybe we will wind up saying: Yes, there ought to be a penalty on companies that ship jobs overseas. Maybe we will tighten some tax loopholes that allow the most successful companies to pay nothing in taxes while the middle class pays through the nose. Maybe he does not like the fact that Warren Buffett—one of the most successful entrepreneurs in our Nation—got up and said: You know what, I am embarrassed. I pay a lower effective tax rate than my secretary. Maybe he thinks that is good. Fine. But do not stop us from getting a budget.

Anyone who knows how a bill becomes a law—whether they are here 15 minutes or more than 20 years, as I have been—everyone knows that the way we operate here is that the House does a budget, the Senate does a budget.

We did a budget. Republicans demanded it, and we did it for sure. And we took care of 100 amendments. We remember being in until 5 in the morning. I certainly remember that. Now the next step is that you go to conference.

So I am saying here that I will be on my feet. Every time the good Senator from Texas comes, I will come and I will say: Senator, let the process work, do not be fearful of the process, because, you know what, when you have power—as the Senator does and as I do—do not be afraid of the process. If you want to make the point that the

Buffett rule does not make sense, make your point, but do not stop us from getting a budget.

I do not understand how any conservative could stop us from getting a budget, but yet that is what we have.

So I would urge my friend to work with his colleagues on both sides of the aisle. Let's get to the conference. Let's make sure the chairman of the House Budget Committee, Mr. RYAN, who I am sure is very competent, and our chairman, Senator MURRAY, who I know is very competent—get them in the room with their conferees, and let's let democracy work. This is the way a bill becomes a law.

They have stopped us from appointing conferees for a budget conference. I could tell you, having been here for a while, it is essential that we get to conference—whether it is the WRDA bill that we are so anxious to do because it is so important for jobs or whether it is the budget or whether it is an appropriations bill. Do not be afraid of the process. This is a democracy. We take our differences into a conference room, and we work together. If you do not like the outcome, that is fair enough. I could truly say I have not liked the outcome of a number of conferences, but I do not stop people from going to the conference because that is stopping democracy. That is a dictatorship. I decide something is going to happen in conference that I do not like. Now, what if I say that what could well happen in the conference is they make the sequester permanent. That could happen in the conference. I think that is devastating, to make the sequester permanent. I want to stop the sequester. I do not like the fact that 70,000 kids cannot get Head Start. I do not like the fact that people cannot get their chemotherapy. I do not like the fact that Meals on Wheels is being cut back and senior citizens who cannot afford meals are not getting them. I do not like the fact that people are not getting HIV screenings or breast cancer screenings. That is what is happening. So I do fear, frankly, that if there is a conference, the Republicans will prevail and they may come out of this with a permanent sequester. So I could stand here and say: I object to the process because I am fearful that they will get in there and they will make the sequester permanent, and that would hurt my people in California. But you know what, I have more faith in us. I have more faith in the American people. I have more faith in the process.

So I would urge my friend to stand down on this—and his allies. I know he is sincere, but I am saying that it is against progress. We do not know if there will be a tax increase or a tax decrease. Frankly, I have some really great ideas for tax decreases that I would like to see—decreases for the middle class, decreases for the working poor. I would like to see that in a conference. But I do not know what our colleagues will come back with.

But I use this time as the manager of the water infrastructure bill to tell colleagues that we should come together, not only on this bill. Instead of offering controversial amendments on guns to a water infrastructure bill, why cannot we just focus on what is before us? Finishing this WRDA bill—getting it done for the 500,000 jobs that rely on this, getting it done for the thousands of businesses that rely on it, getting it done for organized labor and the chamber of commerce coming together here. Get it done. And on the budget front, get it done.

With that, I ask unanimous consent that there be a period of debate only until 6:30 p.m. and that at that time the majority leader or his designee be recognized.

The PRESIDING OFFICER. Is this objection?

Without objection, it is so ordered.

Mrs. BOXER. 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. LEE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### BUDGET CONFERENCE

Mr. LEE. Madam President, what the majority leader requested yesterday was not regular order. What would be consistent with regular order would be to send the Senate-passed budget over to the House of Representatives. And what the majority leader requested unanimous consent to do yesterday did not involve sending the American people to conference; it involved sending a small number of people to conference. And what the majority leader requested unanimous consent to do yesterday did not involve simply getting to a budget on which both Houses could agree. I do not think there is anyone here who would object to that—not one of us whom I am aware of.

What we do object to—what I strongly object to—is any procedural trick that could be used to negotiate, behind closed doors in a backroom deal, an agreement to raise the debt limit or to raise taxes. The American people do not want that. They will not accept it, and frankly they deserve better.

I have to admit I stood in a state of disbelief for a moment yesterday as I heard the majority leader say something to my friend, my colleague, the junior Senator from Texas. I at first assumed I must have misunderstood him because I thought I heard him utter words consistent with the suggestion that my friend, the junior Senator from Texas, was a schoolyard bully. I was certain the majority leader could not have meant that. He probably did not say that.

Unfortunately, as I reviewed news accounts later on yesterday, I discovered that is exactly what he had said. Only the majority leader can tell us exactly

what the majority leader meant by that. It is not my place to malign his motives. If I were to do so, it would run me up against Senate rule XIX. Part 2 of Senate rule XIX says that no Senator in debate shall directly or indirectly by any form of words impute to another Senator, or to other Senators, any conduct or motive unworthy or unbecoming a Senator.

Certainly that would have been in violation of rule XIX, part 2, had the majority leader actually said that and intended to do that, because when you accuse a colleague of being a schoolyard bully, it certainly is not a compliment. It is, in fact, accusing them of doing something or being something unbecoming. I, therefore, will leave it to the majority leader to tell us what exactly he meant. Things happen on this floor. Things happen in the legislative process. Things happen when we get into heated discussions about matters of important public policy that probably should not happen. Sometimes we say words we did not intend to say. Sometimes we say things that in the moment of weakness, perhaps we intended to say but should not have said.

If, in fact, the majority leader slipped and said something he did not mean to say or recognizes now that he should not have said, then I invite him to come forward. I am confident my friend, the junior Senator from Texas, will promptly and frankly accept his apology.

If, on the other hand, this was something else, then I think we need to examine this more closely. It is important to reiterate there certainly could not have been any legitimate basis for making this accusation about the junior Senator from Texas. All the junior Senator from Texas was asking is that if, in fact, we are being asked to give our consent, our unanimous consent, that means the consent of every Senator present, to send this budget resolution to conference committee, that it carry one important but simple qualification; that is, that this conference committee not be used as a ruse, whereby we create an environment in which you could develop a secret backroom deal for raising the debt limit or raising taxes without going through the regular order.

That is the furthest thing that I can think of from being a schoolyard bully, simply making a very reasonable request that we go by the normal regular order rules of the Senate in order to do that. If there is any reason why my friend, the junior Senator from Texas, could ever be accused of being a schoolyard bully, I am not aware of it. It certainly was not evident in yesterday's debate and discussion on the floor. We are owed an explanation, to the extent that anyone was making the suggestion and, in fact, meant that.

At the end of the day, I do not think any of us can dispute the fact that we face very difficult challenges in our country and that many of those challenges weigh heavily on us as Senators.

That is why sometimes people say things they later regret, but that is what apologies are for.

At the same time, we can speak with absolute certainty and unmistakable clarity in saying that while different Americans might approach this issue differently, while different Americans might take a different approach to raising taxes or raising the debt ceiling, one issue on which almost all Americans are united is the fact that these things ought to be debated and discussed in open and not through a secret backroom deal.

The dignity of this process, the dignity of this body, our commitment to honor the constitutional oaths we have all taken as Senators demands nothing less.

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. CARDIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

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

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

#### SEQUESTRATION

Mr. CARDIN. Madam President, I think 2 weeks ago the American public understood one of the consequences of the sequester cuts, these across-the-board, mindless cuts, when they saw what was going to happen with furloughs with the air traffic controllers and the air traffic service in this country.

I never supported sequestration. These are mindless across-the-board cuts. I certainly did not want to see what would have happened to the FAA happen. That was mindless across-the-board cuts. We provided system flexibility to be able to avoid that circumstance. But what we need to do is replace sequestration for all agencies that are affected because similar occurrences are happening in other agencies.

The reason is these are across-the-board mindless cuts. They are deep cuts. To the agencies that are affected, it is equivalent to about a 10-percent cut. This is on top of 3 years of reduced appropriations for these agencies. So it is affecting the core mission of the agencies. They have no flexibility, and therefore they have to cut back on their mission. That is what happened at the FAA. Of course, we provided some flexibility so they can do some other things. But we have not done that as far as providing relief from these across-the-board cuts in other agencies.

So we are going to see many Federal agencies having to fundamentally change what they do. Let me give a couple of examples. I was recently at the National Institutes of Health and

saw firsthand the great work they are doing. I could tell the Presiding Officer many of the missions they are doing are critically important to our health.

I was briefed on the work they are doing for an influenza vaccine that will help us deal not with every season having to deal with a different type of influenza and not knowing whether we get it right but looking at one that will work for multiple years. That is the type of work that is done at the National Institutes of Health, the kind of work in dealing with finding the answers to cancer. I remember when I was young, if you got cancer, it was a death sentence.

Now we reduce the fatalities of cancer. The survival rates are much higher. That is the work that is done at the National Institutes of Health, NIH. That work is being compromised by these across-the-board cuts that affect the grants NIH can give to the institutes around the country, including in Massachusetts and in Maryland.

What is happening with Head Start is 70,000 children who could benefit from Head Start will not be able to this fall. Why? Because of these across-the-board cuts. Head Start is a program that works. We know that. The children who have participated in Head Start do much better. We have waiting lists now. Do we want to tell 70,000 families they are not going to be able to send their children to Head Start this fall?

Senior eating together programs are being cut. Do we truly want to reduce our commitment to seniors in this country so they can get a nutritional meal? The border security protections we are going to be debating on the floor in a short period of time, how we can deal with comprehensive immigration reform. We want to do what is right, but we want to protect our borders. Do we truly want to cut back on border security in this country?

Food safety. The list goes on and on and on to basic missions that will be affected by these across-the-board cuts. Why? I have heard people say this is not such a big deal, about 2 percent of the budget. The difficulty is it applies to only a small part of the budget; that is, basically our discretionary spending accounts. These discretionary spending accounts have already gone through several years of freezes and cuts. They have been really stretched. So the cut is condensed into a short period of time. There is no flexibility that is given in order to deal with it. It is going to have a negative impact on our economy.

I used the example at a forum I had 2 weeks ago with a group of business leaders; that is, if you had trouble in your business, you knew you had to cut back, you would look at your budget, your money planned for rent or your mortgage payment, you have some money planned for your family for the food budget, maybe you had some money put aside for a weekend vacation or trip with your family.

You do not cut every category the same. You are going to save your house

and make sure there is food on the table. We have to do the same at the Federal level. We have to make the tough decisions as to where the priorities of this country need to be. I saw the impact on our Federal workforce. I am honored to represent a large number of Federal workers who are very dedicated people working to provide services to the people of this country. Many are going to go through what is known as furloughs. Furloughs are nothing more than telling you you are going to get a pay cut.

Now, they have already had 3 years of a freeze. They have seen a lot of vacant positions go unfilled so they are being asked to do more with less. Now they are being told they have to go through furloughs. That is not right. We can do better than that. This country can do better than that. What we need to do is replace sequestration and we need to do it now.

The majority leader made a unanimous consent request. I am sorry it was not agreed to. What it said, very basically, is we can find other ways to get the budget savings, but let's not do this meat-ax, across-the-board approach that compromises the missions of this country. Unfortunately, that was objected to. I have spoken on the floor before about areas we can reduce spending.

I hear my friends on the other side of the aisle talking about mandatory spending. I agree. We can save money in health care. As the Presiding Officer knows, the work being done in Massachusetts, and I can tell you the work being done in Maryland, we see how we can reduce hospital readmissions, how we can deal with individuals with complicated illnesses and treat their conditions in a more comprehensive way, saving on less tests that need to be done, saving on hospitalizations.

We know how we can reduce hospital infection rates. There are ways we can cut back on health care costs that will reduce Medicare and Medicaid and health care costs. That is what we need to do. That will save money. Let's implement some of those cost savings.

I am honored to serve on the Senate Finance Committee. Our committee has jurisdiction over the Tax Code. We spend \$1.2 trillion a year in tax expenditures. That is not touched at all by sequestration. We need to take a look at the Tax Code. There are parts of the Tax Code that are not efficient. Let's get rid of those provisions and we can save money and use that to help balance the budget without these across-the-board cuts.

Then we are bringing our troops home from Afghanistan. I hope we can do that at a more rapid rate for many reasons. But those savings can also be used to close the gap on the budget problems and to allow us to replace sequestration.

The bottom line is what my constituents want is for Democrats and Republicans to work together and to come up with a responsible budget plan for this

country. They want that for many reasons. First, that is the way business should be done. Secondly, it gives predictability; we know what the budget is going to be. People can plan if they know what the Tax Code looks like and they know what the Federal budget looks like. They can plan and our economy will take off. Predictability is very important.

Bottom line, what I urge us all to do: Let's get rid of these across-the-board cuts as soon as possible. We never should have been in this position. We have seen it in a couple agencies where the public was outraged and they flooded our phones. We are going to see that happen more and more because these are irrational cuts. We have a responsibility to act. The sooner we do, the better it is going to be for the American people, the better it is going to be for our economy. It is the responsible thing for the Senate to do.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. MURPHY. I ask unanimous consent to speak as in morning business.

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

Mr. MURPHY. Madam President, let me first associate myself with the comments of the Senator from Maryland. We are engaging in a bit of theater of the absurd on the floor of the Senate, as we have been chided for years now that the Senate would not and could not adopt a budget.

Having finally done that, Republicans are refusing to allow us to move forward with the process that would finally get us out of this crisis-by-crisis mentality and do what the American people have wanted us to do for a long time, which is to sit across the table with Republicans, two parties in one room, with the TV cameras on, trying to find some settlements, somewhere where 70 percent of the American public can find agreement with us.

#### GUN CONTROL

I am here, though, to turn back the clock about 3 weeks to another day that I would argue is amongst the saddest this Chamber has seen in a long time. That was the day in which we went against the wishes of 90 percent of the American public and refused to adopt a measure that would have applied background checks to the vast majority of gun purchases in this country, that they also would have for the first time made gun trafficking, illegal gun trafficking, a Federal crime.

During those days I came down to this floor four or five times to tell the stories of victims, the victims of Sandy Hook, but also the victims of, frankly, countless other mass shootings and routine gun violence mainly in our urban corridors. I said no matter what happens on that vote that I wouldn't stop, that I would come down here and continue to tell the real stories that should matter.

We didn't get that bill passed, even though we had the support of 55 Mem-

bers of the Senate. Our fight isn't over because the plight of gun victims and the surviving of relatives of gun victims are not over either.

This is an old chart. It is one I had up here for a number of hours during that week. It displays the number of people who have been killed by guns since December 14, 2012, when my State was witness to one of the worst mass shooting tragedies this country has ever seen.

We would have to now have two charts up here to simply display the same thing, because this number, which was somewhere in the 3,000s, has now easily cleared 4,000, maybe even up close to 5,000—the number of people who since Sandy Hook have been killed across this country by gun violence.

I wanted to come back down here to the Senate floor this week, as I will next week and the week after, to continue to tell the stories of who these people are, because they deserve an answer. The status quo is not acceptable to the mounting legions of families who have lost loved ones due to gun violence that could have been prevented if we had the courage to stand up and do something in this Chamber, if we had the courage to take on the gun lobby and make some commonsense changes the majority of Americans, the vast majority of Americans, support.

Let me tell you a few of these stories today, because I know we have other issues on the floor today to talk about. Let me tell you about Shamari Jenkins. She was 21 years old, and she lived in Hartford. About a week ago, on April 29, she was gunned down while driving in a car through the city of Hartford with her boyfriend. She was driving through the city when someone shot a couple of bullets through the back of the vehicle. It hit her and killed her. It went through her torso and her shoulder. She was 4 months pregnant when she was shot and killed. She was just a couple days away from that magical day many parents have experienced when they find out whether they are having a boy or a girl. That appointment was just a couple days away when she was killed. Close friends and family describe her as sweet and upbeat, with a lot of energy. Shamari was killed in Hartford at age 21 on April 29. Every single day in this country, on average, 30 people are killed by guns, many of them stories just like this.

The ages of all of the people I have been talking about on this floor—you get a couple who are in their forties or their fifties, a few, as I will talk about later, even younger—the majority of these kids are 17, 18, 19, 20, and 21 years old. It is a cruel moment to take somebody from this world, because when you are 21 you have a vision as to who this person is going to be. You can sort of see the greatness. Her friends described her as someone who always had a smile on her face. Yet you steal so much of their life. Shamari Jenkins, 21 years old, killed a week ago.

There are younger victims such as Caroline Starks, who, 1 day after Shamari Jenkins was killed, was killed in Cumberland County, KY, by her 5-year-old brother. She was 2 years old, and she was killed in an accidental shooting by her 5-year-old brother. She was killed by a .22 caliber Crickett rifle. They were messing around in the little bit of time that their mother had stepped outside onto the porch. Her brother picked up this little Crickett rifle, one he used to go hunting with his family. He was 5 years old, and he shot his 2-year-old sister. She died. It was a Crickett rifle. It is a cute name, right? It is a cute name because it is marketed to kids and sold as "My First Rifle." It is made by a company that also makes another line of guns called Chipmunk rifles.

I certainly understand that in a lot of families there is a long history of hunting together as a family. The reality is that some of these shootings are malicious, with the number of guns that are out there. A gun lobby organization that used to spend a lot of time on gun safety now spends most of its time simply arguing for laws that perpetuate the number of guns in society. These accidental shootings are happening more and more.

Another one happened 3 days before Caroline Starks was killed. Michele Wanko of Parkside, PA, lost her husband William this year when she accidentally shot and killed him in the basement of their home. He was giving her lessons on how to use a semiautomatic pistol. As he demonstrated to her how to use one, she picked up another gun and accidentally fired it into his upper chest. Her screams awoke their 5-year-old son, who was sleeping alongside their 2-year-old son upstairs. It is not just mass shootings, it is not just urban violence, it is also this rash of accidental shootings taking the lives of mothers and children that we have seen as well.

We still should talk about these mass shootings because our inaction almost guarantees it is going to happen again. A lot of people said the law that we had on the floor of the Senate a couple of weeks ago had nothing to do with Newtown, so why are we talking about a piece of legislation that ultimately wouldn't have prevented an Adam Lanza from walking into that school and shooting 26 people.

That is true, but we know from experience that a better background check system could have prevented at least one mass tragedy in this country, and that is the Columbine tragedy. The guns that were used to perpetuate that crime on April 20, 1999, were bought at a gun show, the Tanner Gun Show, by a friend of the assailants. She bought the guns at a gun show because she knew if she bought them at a federally licensed dealer, she wouldn't have been able to do so. She would not have been able to walk out of that store with a gun. She went into a gun show where she wouldn't have to go through a background check.

Perhaps if we had a stronger background check system on the books on April 20, 1999, Rachel Joy Scott would still be with us today. Rachel was an aspiring actress. Her father said she was just made for the camera. She wasn't just acting, she was writing plays. She had written one already, and she was getting ready to write another one. She was a devout Christian and she kept diaries where she wrote about her hope for living a life that would change the world with small acts of compassion.

Maybe if we had had a better background check system in 1999, Daniel Lee Rohrbaugh would still be alive today. He worked in his family's car and home stereo business. He loved electronics, and he had real talent for it. He would make a little bit of money working at the store, but he would never spend it on himself. He spent almost all of the money he earned on Christmas presents. His father remembers Danny's generosity by saying he didn't spend any of the money on himself, and he was upset because he came up \$4 short on the last present for Christmas.

Maybe we would still have Daniel Conner Mauser with us today. He was a straight-A student. He was the top biology student in his sophomore class. He was shy, but he knew he was shy and he wanted to overcome it, so he joined the debate team to become more confident about public speaking. He was as compassionate as Daniel was. When a neighbor became ill, he went down there, raked leaves, and asked how he could help his neighbor. He loved swimming, skiing, and hiking. He was on the school's cross-country team, a straight-A student, and the top biology student in his class. We will never get to know what Daniel Conner Mauser would have been.

If we had a better background check system, maybe Matthew Joseph Kechter would still be alive today. He was another straight-A student but a student athlete as well. He was a starting lineman on Columbine's football team. He was a great student athlete but also a great older brother. His younger brother looked up to Matthew and would wait at the mailbox for Matthew to come home from school every day. Matt hoped to attend the University of Colorado where he wanted to study engineering—a straight-A student, a student athlete who wanted to be an engineer. Doesn't that sound like the type of kid we need in this country today?

These are another half dozen of the thousands of victims we have read about in the newspapers and watched news about on TV since December 14, 2012.

One of the arguments I have heard repeated over and over, both during the debate on the floor and since then, is that even if we passed these laws, it wouldn't matter. Sure, you say the guns were purchased outside of the background check system for the Col-

umbine shootings. Even if the background checks were required, these kids would have found another way to get the guns.

Another way of putting the argument is criminals are going to violate the law, so why pass the law in the first place? That is as absurd an argument as you can muster in this place. Frankly, that is an argument not to have any laws at all. People drive drunk and they kill people. Republicans aren't coming down to the floor of the Senate and saying we should get rid of drunk driving laws because there are people who still go out and drink and drive. There are, unfortunately, other men out there who beat their wives, but nobody is coming down to the floor of the Senate or the House and arguing we should get rid of our domestic violence laws because some people don't follow them.

The fact is we make a decision as a country what standards we are going to apply to conduct. We trust that is going to funnel some conduct away from the kinds we don't want into the kinds we want. It is also going to allow us to punish those who act outside of the boundaries we have set. That is why we still have drunk driving laws and domestic violence laws, even if some people ignore them. It is why we should have an expectation that criminals in this country shouldn't have guns, even if some criminals are still going to ignore the law and get the guns anyway. That way we can punish those people who do wrong, and we can have some comfort in knowing that some people will choose to do right because of the consequence of the law being in place.

There was no consequence for that young lady, the friend of the Columbine shooters, when she went outside the background check system to get guns for her friends. We will never know if she would have made a different decision, but why not have the law to test out the theory. For the thousands of people who have died since December 14, they would take that chance that the law will work.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Madam President, I first of all thank my friend, the Senator from Connecticut, for his comments today and for his leadership on this issue which is of such enormous importance.

I have been a long-time supporter of the second amendment, but like so many other Americans after Newtown, the status quo just didn't cut it. The Senator and so many others have continued to come down and raise the issue. At least we ought to make sure we have a system in place in this country to prevent criminals and those with serious mental impairment from purchasing firearms. I think it is the most reasonable of all proposals. I thank the Senator for not letting us on the Senate floor forget that tragedy and that

issue. I have a sense, and I am sure it is the same in Connecticut and it probably is the same in the Commonwealth of Massachusetts, the American people haven't forgotten. There is not a day that goes by when I don't have somebody coming up and saying, you have got to bring that back up.

I again thank the Senator for his good work. I think those of us who want to put in place appropriate, reasonable restrictions that the vast majority of law-abiding gun owners support will have another day in this hall.

#### THE BUDGET

Madam President, I note a lot of my colleagues have also been down today talking about the budget, an issue some would say I have been a little bit obsessed about in the 4 years I have been here.

I want to come and talk about that tomorrow, but at least tangentially I want to raise that same issue in my comments today.

#### TRIBUTE TO FEDERAL EMPLOYEES

TIMOTHY GRIBBEN, CHRISTINE HEFLIN,  
MICHELLE SILVER

Madam President, this week we celebrate Public Service Recognition Week to honor public servants at all levels of government for their admirable patriotism and contributions to our country. We talk about budgets sometimes and we forget that a lot of the resources we pay in taxes that go to budgets actually hire Americans who go to work every day trying to make our country a safer place to live and a better place to live. Quite honestly, the vast majority of folks who work in public service go about doing it with very little recognition for the work they do.

Since 2010, when I had the opportunity as a freshman Senator to preside more often than I would have liked to, I used to see then-Senator Ted Kaufman, who would come down to the floor almost every week and talk about a Federal employee. When Ted, who had served as staff director to JOE BIDEN for close to 30 years, left the Senate, I inherited that responsibility from him. While I have not been quite as conscientious as Senator Kaufman, I have tried to make certain to come down on a regular basis and call out Federal employees who deserve recognition, including even certain Federal employees who work in the Senate.

Today I want to take a moment to recognize three Federal employees who particularly are relevant to the debate we are having about budgets because one of the issues we all have to recognize is we have to find ways to make our Federal dollars go further. So I want to recognize three Federal employees who happen to be Virginians, who are working to make our government use data better to improve accountability and transparency. These are individuals whom, as chair of the Budget Committee's Government Performance Task Force, I have followed in some of their actions.

First, I want to recognize Timothy Gribben. Tim is the Director of Performance Management at the Small Business Administration, and in this role he developed SBA's quarterly performance review process that is now considered a best practice among other agencies. Because of Tim's commitment to transparent and accessible performance metrics—I know that doesn't get everybody's eyes shiny, but performance metrics is something I am pretty interested in—the American public can now more clearly track the support provided to small businesses from SBA to see where our tax dollars are headed.

Tim has been recognized by the White House's Performance Improvement Council and the American Association of Government Accountants for his leadership.

Next, I want to recognize Christine Heflin. Christine is the Director of Performance Excellence at the Department of Commerce and has established the Performance Excellence Council to bring together performance leaders from across the Department to exchange best practices. Because of Christine's expertise, she is sought by other agencies for advice, and she leads performance management 101 training across the Department to educate staff on the benefits of data-driven decision-making, the use of analytics, and performance improvement techniques.

Finally, I would like to recognize Michelle Silver. Michelle served as the program manager for the Bank Act IT Modernization Program. Under her leadership, the program was able to successfully modernize the Financial Crimes Enforcement Network's IT infrastructure. This significantly improved the ability of law enforcement, regulatory, and intelligence agencies to access and analyze financial data to detect and prevent financial crimes. It is important to note that Michelle's management ensured the modernization program was delivered on time and within budget. Because of people like Michelle and many other hard-working Federal employees at the Department of Treasury, our country's financial system is at least safer now than it was before from emerging threats.

I know performance metrics, data analysis, and IT improvements aren't necessarily the subject of debates every day on the floor of the Senate, but regardless of how we get our country's balance sheet back in order, I believe that will require both additional revenue and entitlement reforms so we don't keep coming back to the small portion of our budget which is discretionary programs. Even with all of that, we still need to make sure we use those dollars in the most effective and efficient process possible.

I hope my colleagues will join me in honoring Mr. Gribben, Ms. Heflin, and Ms. Silver, as well as all government employees at all levels around the country for their commitment to pub-

lic service. Again, I remind all of my colleagues that as we debate budgets and we debate the future of our country, there are literally millions of folks at all levels of public service who go to work every day to make our country safer, to make our country more efficient, and to provide services for those who are in need.

A few minutes earlier today I was with seven DEA agents who had just received the Congressional Badge of Bravery. They had been recently deployed to Afghanistan. These are all people who represent the commitments we fight for on the floor of the Senate.

With that, Madam President, 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.

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

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

Mrs. BOXER. Madam President, I ask unanimous consent that at 11:30 a.m. on Wednesday, May 8, the Senate resume consideration of S. 601 and the following amendments be the first amendments in order to the pending Boxer-Vitter substitute amendment No. 799: Coburn amendment No. 804 on ammunition; Coburn amendment No. 805 on Army Corps lands and guns; and Whitehouse amendment No. 803 on oceans; that there be no second-degree amendments in order to any of these amendments prior to votes in relation to the amendments; that the Coburn and Whitehouse amendments be subject to a 60-vote affirmative vote threshold; and that the time until 2 p.m. be equally divided between the two leaders or their designees for debate on their amendments; that Senator COBURN control 40 minutes of the Republican time; that at 2 p.m. the Senate proceed to votes in relation to the Coburn and Whitehouse amendments in the order listed; that there be 2 minutes equally divided in between the votes and all after the first vote be 10-minute votes; further, that upon disposition of the Coburn and Whitehouse amendments, the substitute amendment, as amended, if amended, be agreed to and be considered original text for the purposes of further amendment.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

#### MORNING BUSINESS

Mrs. BOXER. Madam President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

#### WRDA

Mrs. BOXER. Madam President, I wish to take about 2 minutes—and I know Senator BROWN is here to speak—to explain what just happened because a normal person would never follow this, in my opinion. That is just me speaking.

Let me tell my colleagues what we did. Happily, we are moving forward with the first votes on amendments to the WRDA bill—the water resources bill—tomorrow. I have to thank so much Majority Leader REID because he worked very hard on making sure we could figure out a way to move these votes forward. Senator VITTER and I both wanted to see this happen, and we are very pleased.

So what will happen is we will first have a vote on an amendment by Senator COBURN dealing with a study about ammunition. Upon disposition of that amendment, we will move to another Coburn amendment that deals with people being able to carry guns on Corps of Engineers land that has levees and dams on it and so on. We will have debate and a vote on that. Finally, we will have a vote on the Whitehouse amendment which deals with an oceans trust fund. So those three votes will be in order, and following that we believe the Boxer-Vitter amendment will be pending.

I wish to thank everybody for their cooperation in moving forward. I don't understand why and how we would have gun amendments on a water infrastructure bill, but that is just me. This is about water infrastructure. It is about flood control. It is about making sure our ports are deepened so that commerce can flow in and out. It is about water conservation. It is about wetlands conservation and restoration. So I don't quite get why we are voting on guns, but it is the Republicans' desire that the first two votes be on guns, so that is what we are going to do. We will dispose of those.

I can only say to my colleagues, my friends, on both sides of the aisle, could we keep the amendments to the subject at hand? If we could keep the amendments to the subject at hand—I know there is a desire to have votes on lots of issues, but I think we all agree that for the economic well-being of our country, we need an infrastructure that is top-notch. I hate to say it but our infrastructure has been rated as a D-plus. That means our ports are not functioning as they should and our flood control projects are not handling the extreme weather we are facing. We need to get back to work here in regular order.

I know there are people here who think more gun votes is the way to go. That is a very controversial subject. It tears at the heart of the American people in many ways. But so be it. Let the country see what we are dealing with. The first two votes by the Republicans on a water infrastructure bill are about guns. Let the people decide if they think it is appropriate on a water infrastructure bill that deals with flood