

surges which rush into our water system, our streams, and rivers, and into the Chesapeake Bay. We have to do a better job of development in dealing with storm runoff.

It also recognized the responsibility of local governments. They are the primary entity responsible for how we treat our waste with the wastewater facility plants and how we can do a better job of preventing pollutants from entering our water system.

We also dealt with business growth and the pollution coming in through business activities.

One of the major focal points was how do we deal with agriculture. In one sense agriculture is very positive for our environment. Maintaining open space is important, and agricultural activities are generally open space. That can be good because it gives us a larger tract of land in order to filter rainwater, to filter the pollutants from perhaps never entering the bay but, if they do enter the water system, they enter in a way that has already been filtered. So in that sense agricultural preservation is important for the conservation of the bay, but because of farming activities that use nitrogen and phosphorus, it can cause significant challenges for the bay.

I think Maryland farmers have done a good job. They have done a good job for many years. But I wish to speak about one farmer particularly because I was very pleased—before this meeting, I had a chance to meet Hank Suchting. He is a farmer in Baltimore County, MD. That is pretty close to the urban centers. The Presiding Officer was referring to me as being the Senator from Baltimore. I am a proud resident of Baltimore, and Mr. Suchting's farm is only a few miles from my house. It is interesting. He has a beef-farming cattle activity. It is in the Oregon branch of the Gwynns Falls River, which has been dammed to provide for the Loch Raven Reservoir to deal with our water supply. In other words, that stream, which is part of his cattle production, is in the watershed that goes into the drinking water that the Presiding Officer and I drink in the Baltimore region. So we all have a significant interest in making sure that water supply is kept safe and that when we turn on our tap and when we drink our water, it is fresh water.

Mr. Suchting's farm activities produce about 30 beef calves a year. That is an important number because in order for that cattle population to be properly grazed, it needs to have a water supply, and it needs to have a place where the cattle can cool off, particularly on a hot day like we had yesterday. So the traditional farming activities for this cattle production were to allow the cattle—as I said, the stream goes right through his property—to use the stream for the purpose of cooling off and for the purpose of the drinking water for the cattle. However, that was not the best way to do it for the purposes of protecting the water

supply of Baltimore and to deal with the Chesapeake Bay and to deal with our environment because, as the Presiding Officer knows, free access for the cattle to the river meant that the cattle manure, the phosphorus would go into the waters, causing a challenge for the water system, and it caused significant erosion to the streambed itself.

So Mr. Suchting felt a commitment to help the environment, so he said: Look, why don't I look at fencing in the riverbed so my cattle do not get direct access to the stream and producing a supplemental water system through a water trough—as we see in the photograph. It works through gravity. It uses the aquifer, works through gravity, and produces direct water for the cattle to drink.

Here is the interesting part. His principal motivation was that he wanted to do something that would help the environment, but he still wanted to be able to produce his cattle. He felt an obligation to do this.

The State of Maryland had help for him. In partnerships with the Federal Government and conservation programs, there were funds available to help him fence in the property to have a sensible crossing—because he was on both sides of the creek—so that he could have a way for the cattle to cross safely and still protect the water bed itself. That program made it more financially advantageous for him to put in the fencing so the cattle did not have direct access to the stream and to put in the water trough so they could get fresh water.

But guess what. He put a pencil to it and found out it was better economically for him to do this. It actually made his farming practices more financially viable. How did that happen? Well, he was losing calves every season to storms when there were water surges and they would get caught in the stream and they would actually drown. He was losing calves because of extreme weather. Being in the stream caused hypothermia for the calves, and they would die. Every time he lost a calf, he also lost about \$1,000. This was a sound investment from the point of view of the financial viability of his cattle production.

Also, he found it was healthier for his cattle in two respects. First, the water supply did not include the pathogens that can be found in the streams, so he found it was healthier for his cattle to get water through the trough rather than through the stream itself. Secondly, he said the growth around the stream increased dramatically because the cattle were not in the stream, and it gave better shade on the property to allow the cattle to be able to cool off in the shade in a more efficient way than going into the stream itself.

My point is this: This is just one example. I could give hundreds of examples where conservation makes sense for agriculture and our environment.

My reason for being at this farm and my reason for bringing together the

leaders in agriculture in Maryland is to talk about this new program that is now available. It is the Regional Conservation Partnership Program, which is available under the farm bill, which makes hundreds of millions of dollars available competitively—it is not earmarked—for farmers to be able to do what Mr. Suchting did through similar types of programs to help themselves and help our environment so we can have a safer environment for our community.

Working together, we can have a cleaner environment and successful agriculture. There are now new tools available. We want people to know about them. We want farmers to know about them. We want conservation districts to get this information out to our farming community because, quite frankly, agriculture is critical to Maryland, it is critical to New Jersey, it is critical to this country. It is the largest single part of our local economy, and I expect it is the same in New Jersey and around the Nation. We want viable agriculture. We outcompete the world in production. We want to be able to continue to do that, but we also want to pass on a cleaner environment to our children. We can do both.

Thanks to the leadership of Senator STABENOW and thanks to the leadership of this body, we now have new tools available to help our farmers in conservation. I hope they will take advantage of them for the sake of our environment and for the sake of agriculture.

With that, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Oklahoma.

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

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2015—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to H.R. 4660, which the clerk will report.

The bill clerk read as follows:

Motion to proceed to the consideration of H.R. 4660, a bill making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, which appropriations bill is this that we just announced?

The PRESIDING OFFICER. The motion to proceed to the Commerce-Justice-Science provisions.

Mr. INHOFE. I thank the Chair.

Let me make two comments on two amendments actually to the THUD appropriations bill having to do with CNG, natural gas vehicles. If I could speak very briefly on two amendments, the first is amendment No. 3245. That amendment is the regulatory streamlining for the use of compressed natural gas. This will allow us to give some of the same treatment to natural gas vehicles that are given to other alternative fuel vehicles. In fact, I am joined with Senator CARL LEVIN on this amendment, which also gives access to HOV lanes for certain vehicles that are using natural gas and other alternative fuel vehicles.

The other one is amendment No. 3275 having to do with light semi trucks that use natural gas, because of the additional weight of the equipment, we would give some leniency—up to 2,000 pounds—in terms of the total weight to allow them and encourage them to use compressed natural gas without facing a freight-weight competitive disadvantage.

Those are the two amendments, when the time comes, that I wanted to get into the RECORD that I will be proposing at that time.

I thank the Senator from Maine for yielding me a few minutes of her time, and I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER. (Ms. BALDWIN). Without objection, it is so ordered.

Mr. BOOKER. Madam President, I rise to speak on an amendment I have filed on the appropriations bill that this Chamber is now considering. The amendment is cosponsored by Senators ROCKEFELLER, FEINSTEIN, MENENDEZ, SCHUMER, BLUMENTHAL, GILLIBRAND, MARKEY, WARREN, and BROWN.

Madam President, I ask unanimous consent to add as cosponsors to the amendment Senator DURBIN, Senator BOXER, Senator HIRONO, Senator MURPHY, and Senator SCHATZ.

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

Mr. BOOKER. Thank you, Madam President.

Our amendment would maintain critical evidence-based safety rules that reduce truckdriver fatigue. I am disappointed that this bill currently includes a provision that would roll back the enforcement of these rules—rules

that are based on years of scientific evidence. It is doing so without further study. It is rolling back these safety rules without public input. It is rolling back these safety rules without even a hearing.

At a time when truck crashes are actually on a rise in the United States of America, it is paramount that Congress do more in transportation safety to improve the protection of lives—not remove an evidence-based element of reform.

Keep in mind that the rule the bill currently suspends enforcement of was the result of feedback from more than 20,000 formal comments submitted by industry and stakeholders. It was a result of 6 public sessions and incorporated 80 sources of scientific data and research, as well as a regulatory impact analysis.

Over the past week alone, New Jersey has been impacted by at least four major, separate accidents involving tractor trailer collisions. National statistics, unfortunately, show that these tragedies are unfolding more and more frequently.

Many of my colleagues may not spend much time in New Jersey, but I am willing to bet that many have driven on the more than 38,000 miles of public roads that exist in my State. If you know the New Jersey Turnpike, this corridor connects our State and drivers, much of our commerce, and our economy all together. This highway also sees a lot of trucks at all times of the day, all around the clock.

So I am compelled by these facts:

Nearly 4,000 people are killed in truck accidents and over 100,000 people are injured every single year.

From 2009 to 2012, truck crash injuries increased by 40 percent and truck fatalities increased in our Nation by 16 percent.

Truckdriver fatigue is a leading cause of major truck accidents. These drivers, who work extensively long days delivering the goods we depend upon, deserve basic protections allowing them to get sufficient rest to do their job safely and efficiently.

Just this morning the National Transportation Safety Board released a preliminary report about a truck crash that happened on the New Jersey Turnpike on June 7 which killed one passenger traveling in a limousine, and four others were airlifted to a hospital. Six cars were impacted by the collision between the truck and the limo. The truckdriver, according to the NTSB report, had logged 13 hours 32 minutes of work at the time of the crash. Had he reached his destination, he certainly would have exceeded the number of federally permitted hours to work in a given day. The truckdriver will clearly be punished for pushing the limits.

Truckdrivers are working extremely long days to deliver the goods that keep America moving, but it should never ever be at the cost of safer roads.

At a time when we should be doing more to improve safety, we should not

be rolling back evidence-based rules. Our amendment prevents readopting a policy that could force many truckdrivers to work over 80 hours per week. It maintains a balanced rulemaking that provides for truckdrivers to be allowed two nights' rest at the end of a taxing workweek.

The Department of Transportation itself—our Federal Department of Transportation—estimates that the current rulemaking is preventing 1,400 crashes each year, saving 19 lives and avoiding 560 injuries on American highways.

Our amendment would simply retain a provision to authorize—it would actually retain a provision to authorize further study. We believe further study on the issue is good. I am not against further study, nor are we against further analysis. But we believe it is absolutely unacceptable to consider suspending these driver rules while the study is being conducted. Safety cannot wait.

I have not been in the Chamber very long and even today may have violated some of the rules of comity of this great body, but I know this effort is an important one, and I know it will be an uphill fight. There are some entrenched interests who tend to have a lot of influence on Capitol Hill, but this, to me, is one worth fighting. I urge my colleagues to join me.

I have heard a lot of the arguments and questions about why this should possibly be rolled back, why we should roll back safety regulations in the face of increasing accidents on our highways. Somebody might say that DOT rules make the roads less safe by forcing trucks on the road during busy rush hour traffic.

The notion that the DOT's rules—which were based on all of those hearings, all of that public input, the scientific study—somehow make the roads less safe, to me, is unfounded. To be sure, the rule does require that scientifically proven optimal sleep hours of 1 a.m. to 5 a.m. be included in the DOT's mandatory 34-hour "restart" period. But let me be clear. This restart period only applies when a truckdriver has reached his or her maximum driving hours for the week—the maximum allowed. It only triggers that provision when someone has worked a 70-hour workweek.

Keep in mind that most people work 40-hour workweeks. Requiring those drivers operating 80,000-pound trucks on busy roads to get some rest is not only common sense, it is supported by the science. The Department of Transportation estimates that the current rule, again, is preventing crashes, is preventing the loss of life. Nineteen lives they believe these rules around hours have saved, 560 injuries, 1,400 crashes. Suspending this rule without studying it first is not common sense.

I have heard another argument that the DOT rules are a solution looking for a problem, that truckdriver fatigue is somehow not that common. A study

that was conducted by FMCSA in 2006 found an astonishing number of truckdrivers—65 percent of truckdrivers—reported that they often feel drowsy while driving. Over 40 percent of truckdrivers responded they have trouble staying awake at the wheel. An alarming 13 percent admitted they have fallen asleep while driving.

Fatigue is an issue. The survey illustrates how vitally important rules governing hours of service and rest periods are in keeping our roads and highways safe. Now is not a time to roll back those rules without studying, without evidence, without a hearing, without information.

There are some people who might say this is a partisan issue, that somehow Democrats are safety advocates and are exploiting the severe accident that faced a comedian named Tracy Morgan, that we are using this as a political opportunity. But that suggestion is wrong. Somehow it misses that fatal accidents are common on our highways.

This concern continues to rise in our country as the number of accidents increases. While the accident involving Tracy Morgan on the turnpike was tragic, it was one of thousands of accidents and crashes that occur in our country each day. The incident has brought needed attention to a rising trend of trucking accidents. This is a problem policymakers have long been trying to address through Federal rules and initiatives, based again on years of study and analysis.

In fact, last month I sent a letter to the U.S. Department of Transportation regarding important truck safety concerns. My predecessor, Frank Lautenberg, spent years of his life in public service trying to make our roads safer.

I also have heard that most truckdrivers are negatively impacted by the current rule, that language in the Senate appropriations bills stops this impact that most truckdrivers are seeing.

That is simply not true. A driver is only required to use the 34-hour restart if and only if he or she works the maximum number of hours allowed under the Federal regulation. This restart is most frequently in effect for those long-haul drivers who make up only about 15 percent of the trucking workforce. Those averaging 70 hours per week or less are not affected by the changes to the 34-hour restart, because they would never work the number of hours that would require them to use the restart under the current rule.

The Senate amendment would allow drivers, though, to return to the extreme schedule allowed under the pre-July 2013 rule, when a company could require a driver to work a maximum of 82 hours a week, pushing the limit of human endurance. Not only 82 hours in 1 week, trucking companies would force the limits of human endurance of 82 hours week after week after week after week, 82-hour week after 82-hour week after 82-hour week.

I have also heard this HOS provision in the T-HUD appropriations bill is a

low-impact change to the hours-of-service rule, that this is actually not that much of a change. Suspending enforcement of these DOT hours-of-service rules substantially increases the number of hours a truckdriver could be forced to work each week and forced to push the realm of human endurance. In fact, the change would be from an already high 70-hour workweek to a more than 80-hour workweek, which is the equivalent of an extra workday each week and nearly twice the amount the average American works.

The appropriations bill will remove this commonsense guarantee that truckdrivers themselves, as we have seen with the support from the Teamsters Union, that truckdrivers themselves get at least a 2-night rest, the humane 2-night rest at the end of a tasking workweek.

What these changes mean in practice is that drivers may be forced to work grueling hours now, week after week by truck companies that are pushing the limit. Studies have shown this leads to the fatigue that causes accidents such as we are seeing on the New Jersey Turnpike. The DOT hours-of-service rules, some people say, implemented last year were based on insufficient analysis, that somehow these were rushed rules.

But I have said already, this came out of a balanced rulemaking effort and process that took into account both safety and industry interests. DOT rulemaking involved the feedback from 21,000 formal document comments submitted by a wide range of stakeholders, including six public listening sessions, and incorporated 80 basic scientific research data provided by scientists, as well as conducted a formal regulatory analysis.

By contrast, the bill rolling this all back was done in an appropriations process. It was not reviewed. It was not considered by the committee of jurisdiction upon which I sit. It was not subject to public comment. It had no hearings established where both sides were listened to and their comments were weighed and engaged. It rolled back a rule that now will allow truckdrivers to be pushed more into the limits of their human endurance and put more fatigued drivers on our roads.

Some people say this amendment I am putting forth, with many of my colleagues, somehow would prevent further study. That is not true. Our amendment only strips the provision of the appropriations bill that ties the Department of Transportation's hands and prevents them from enforcing the current rules on the books. But we actually leave intact authorization for more study, which I am open to.

This should be done on scientific studies in an open process, with hearings, with information, with testimony. It should not be saddled onto an appropriations bill that ultimately would roll back rules which the DOT themselves are saying will help to preserve the safety and the lives of Amer-

ican citizens. So I caution right now, why not wait? Why not do a study, leaving the current rule intact? Why not keep these regulations, these safety regulations in place, and let's do another round of studies? Let's do another round of hearings. Let's have debate and discussion in committee and the committee of jurisdiction before we roll back rules that put truckdrivers on our roads, pushed by trucking companies, to further their limits of exhaustion.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Madam President, it appears I first need to say to my colleague and to those who are listening, there is no one in this body, in the trucking industry, among their customers who wants to see trucking accidents. All of us are committed to safer roads, and to make sure that freight is delivered in a safe manner in this country.

In fact, the former Administrator of the Federal Motor Carrier Safety Administration said in a letter to the committee dated June 17:

The fact is the Senate Transportation, Housing and Urban Development bill which contains a temporary suspension of two new provisions in the 34-hour restart rule makes the roads safer.

Makes the roads safer. That is what this debate is about.

I am very disappointed to see that the Senator from New Jersey is otherwise engaged and not listening to these comments.

Let me start with a fact. The fact is, under current law, under the Collins amendment, under the provisions we reported in the Appropriations Committee, it is illegal for any driver to operate a commercial motor vehicle when that driver's ability or alertness is impaired through fatigue, illness, or any other cause so as to make his or her driving unsafe.

That is illegal. That is illegal now. That will continue to be illegal if our provisions become law. I think that perhaps it would be helpful, given the disappointing amount of misinformation that has been circulated by the proponents of this amendment, if I were to go through some of the provisions of the hours-of-service regulation. Those are the regulations that are the foundation of the rules that govern truck safety in this country.

The fact is our Transportation-HUD appropriations bill would not suspend the entire hours-of-service regulation or the entire 34-hour restart provisions as some keep saying, both on the Senate floor and in the media. To be clear, our proposal would not change the maximum driving hours that are allowed per day. It would not change the total on-duty window in each shift. It would not change the minimum number of off-duty hours between shifts, which is 10 hours. It would not change the mandatory 30-minute rest break that is required by your eighth hour.

That is a new provision that was adopted last July.

My friend from New Jersey claims I am wiping out all of these rules. Regrettably, he is simply mistaken about that. I am not changing any of these provisions of the hours-of-service regulation, including one that was adopted last July requiring a mandatory 30-minute rest break prior to your eighth hour. I support that. I think that is a good idea. I support the provisions for a limit on how many hours a driver can be behind the wheel. I support the limit on the maximum on-duty hours. I support the requirement for 10 hours off between shifts. So to say I am repealing all of these truck safety regulations is simply false. It is a disservice to the debate on an important issue for wrong information to be circulated about what we are trying to do.

There is another important provision we are not changing that I think is going to help to improve truck safety, and that is the upcoming requirement for electronic, onboard recorders to replace the paper logs that are kept by some truckdrivers now.

The paper logs have been proven to be less accurate, and obviously there is a potential for reporting false information. With electronic logs, that goes away. I am a strong supporter of the rulemaking that is going to lead to the requirement for electronic logs, which many truckdrivers are already using. Our bill, in fact, includes some funding to help truckdrivers of smaller fleets afford the electronic logs.

What are we changing? We are changing only two provisions, and that is why our amendment—my amendment—was adopted by an overwhelmingly strong bipartisan group in the Appropriations Committee. The vote was 21 to 9 because the members of the committee took the time to understand what we were doing and what we were not doing.

Here is one of the problems. The new rules require that a truckdriver have two consecutive nights where he must be off duty and sleeping between 1 a.m. and 5 a.m. There are a lot of people in this country who work a night shift, and if we talk to them they will tell you that what is disruptive to them is to work a day shift part of the week, a night shift part of the week, go back to the day shift, and go back and forth.

Many of our drivers want to drive during the overnight hours because the statistics overwhelmingly show that is the safest time for them to be on the roads.

This isn't a matter of conjecture. It is based on the Federal Motor Carrier Safety Administration's own analysis about what times of the day crashes occur. The fact is, the safest time for trucks to travel is between midnight and 6 a.m. The number of crashes nearly quadruples between 6 a.m. and 9 a.m. It is five times higher between noon and 6 p.m.

Let's think about this for a moment. It just makes sense. There are far fewer

vehicles on the road. Why in the world would we want to push truckdrivers to have to be on the road when children are going back and forth from school, when commuters are going to work.

One truckdriver from Maine gave me a great example. For those of us who are familiar with downtown Boston, with all of its small, curvy streets and all of its one-way streets, he said to me: If I have to wait until 5 a.m. to deliver fuel to a convenience store on the corner of two busy streets in downtown Boston and I am going to arrive there at 7 a.m.—during the rush hour, during the time when people are getting up, going to school and to work—it is far more dangerous. It is far more difficult for those commuters trying to stop at that convenience store while I am trying to deliver the fuel. It is far safer for me to be delivering that fuel at 4 a.m. or 5 a.m. in the morning before the convenience store even opens and before the traffic picks up.

But, again, the Senator from New Jersey doesn't have to take my word for it. Please, I would implore the Senator from New Jersey to look at the statistics—and these are the newest statistics the Department has put out. They are very clear that the crashes more than quadruple—quadruple—during those daylight hours.

That is why the truckdrivers would prefer to be on the road at night when it is safer and to do their deliveries when their customers need the deliveries to be done—whether it is to that convenience store that needs gas before the rush hour starts or whether it is to a grocery store that needs to reload its shelves. That just makes sense.

The second change—and the only other change—that our amendment makes to the hours of service provisions has to do with the limitation on the use of the restart. Under the new regulations which were implemented last July about 1 year ago the Department limited the 34-hour restart to once a week. It is once every 168 hours.

How does that make sense? The Presiding Officer and I both come from States where there can be severe winter weather, and a truckdriver who is delivering in Wisconsin or Maine may run into a terrible storm.

Why shouldn't he or she be allowed to take a 34-hour period off while the storm is raging and then restart the clock on the number of hours that he or she can take?

By the way, the restart, under the current law, is voluntary, and we do not change the requirement—which is current law—that a truckdriver cannot drive more than 70 hours in 8 days. What we are saying, however, is we don't want that truckdriver to be out there in bad weather trying to push through and get home because he or she is running up against the clock and can't take a second 34-hour restart.

In fact, as the former administrator—who, by the way, has spent her professional life of 22 years in public safety—has written: We encourage

drivers to get more rest, to not take the chance of driving through bad weather.

Now let me address the conflicting arguments I heard from the Senator from New Jersey on the issue of whether these regulations have been studied enough.

On the one hand, he says they have been studied to death and they are well based in scientific research. But the fact is that the current Administrator of FMCSA recently testified over on the House side and was specifically asked if the agency had evaluated the safety and congestion impacts of large trucks being forced by the new regulations to drive during the hours when crashes are most likely.

The Administrator confirmed: The field study did not address or talk about the impact of traffic on the road.

That is why it is critically important to study all aspects of the regulation. It appeared that FMCSA also failed to coordinate with its sister agency the Federal Highway Administration.

Just last month the Federal Highway Administration announced a grant program called the Off Hours Freight Delivery Program for cities that “look at how truck deliveries made outside of peak and rush hours—when there is less traffic on the highways—can save time and money for freight carriers, improve air quality and create more sustainable and livable cities.”

So clearly the agencies within the Department of Transportation are not communicating their policies with one another. We have one DOT agency trying to direct more trucks onto our Nation's highways during the daylight hours, and then we have a second agency that is pushing funding out to cities in order to keep those same large trucks from operating during daylight hours and to encourage them to operate during overnight hours.

Why we would want to prevent or discourage large trucks from being able to drive during overnight hours simply makes no sense.

On the other hand, my colleague from New Jersey says: Don't worry, we have kept in the study. We have kept the Collins study in the bill.

Well, if it has been studied so extensively, as he claims, then why is there a need for the study? You can't have it both ways. You can't say these regulations were thoroughly studied and supported by scientific evidence, but, gee, we need a study. I mean, which is it?

I think what the Administrator admitted in her testimony over on the House side is accurate, and that is the field study did not look at the overall impact of congestion on our roads, and that is a real flaw. That is why I worked with colleagues on both sides of the aisle to come up with a study that will look at all of these factors, to make sure that we do not have what the Administrator herself has conceded are unintended consequences of these changes, and that is what we have now.

The fact is that these changes that were adopted by a vote of 21 to 9 by the

Appropriations Committee are common sense. They will lead to less fatigued drivers. They deserve more study and consideration, and—as the former Administrator of this agency has said—they will improve traffic safety.

I hope my colleagues will oppose the amendment that has been offered by the Senator from New Jersey. I will speak further, but I know there are others who want to debate this issue or who are waiting to speak.

I yield the floor.

Mr. BOOKER. Will my colleague yield for one short question?

Ms. COLLINS. I would be glad to engage in more debate later, but my colleague from Missouri has been waiting for a half hour to speak, and I think it would be courteous for him to be allowed to speak.

Mr. BLUNT. Madam President, I thank my good friend from Nevada for yielding a few minutes to me. He is going to speak on an amendment which requires the Senate to pass a budget I am supportive of and support his efforts to do that, but I wish to speak in support of this great explanation of what the committee did as we just heard from the Senator from Maine.

The committee debated this. We looked at the facts as Senator COLLINS has repeated. That full debate, that full discussion in the committee ultimately had a bipartisan vote of 21 to 9. This was something the committee thought about. I think the committee reached the right decision, and I was glad to be part of the 21 votes that said this should be part of the underlying bill.

There is a wide consensus that further study is needed. That consensus goes even to the administration.

As the Senator from Maine has already pointed out, the “restart rule” allows drivers to restart their weekly on-duty time calculations by taking at least 34 hours off duty.

In July of 2013, new restrictions were placed on the restart provision, and the changes, frankly, have had unintended consequences and unintended effects for drivers, for their families, for customers in the supply line, and even other users of the road.

The new restrictions state that a restart period has to include two back-to-back periods in the middle of the night—from 1 a.m. to 5 a.m. I am usually up not too long after 5 a.m. I am almost never up between 1 a.m. and 5 a.m., but many people are.

The Federal Government can decide a lot of things, but what is the best work and rest pattern for people should not be one of them, particularly when that work pattern forces people to do their work at a more dangerous time. I believe that is what this rule does. That is what the accident reports would verify; that back-to-back rest periods can only be used in a way that disrupts the ability to get the job done in a way that works for these drivers and their families, and works for safety on the road.

This rule would push more trucks onto the road during the daylight hours, and accidents are worse when there is more traffic.

The Federal Motor Carrier Safety Administration just admitted that this wasn't studied as it should have been. I asked the Secretary of Transportation over 1 month ago to tell what studies were done on this issue. We still haven't gotten a report. He very nicely said, “I would like to take that for the record.” Apparently the record is pretty hard to complete here because we haven't had a report yet about the research done on what would happen if you took truckdrivers off the road in the middle of the night and put them on the road in the middle of the day, the middle of the afternoon, the very rush hour hours the Senator from Maine has talked about.

I have heard from a lot of drivers in our State. We are in the middle of the country. We are a transportation hub. We have lots of drivers in our State. One constituent of mine, a driver from Energy Transport Solutions in Bates City, MO, said a lot of drivers are losing a whole day on the road and a whole day with their family.

Many drivers choose to drive at night or early in the morning so they can be home when their kids come home from school. If a driver wants to be home when their kids come home from school and if they want to drive during safer parts of the driving 24-hour cycle, why would the government tell them they can't do that without any study to indicate it somehow would be safer?

The fact is this provision would in no way affect the hours-of-service rule. The Senator from Maine once again has explained what wouldn't change. It wouldn't change the daily driving time limit; it wouldn't change the daily working limit; it wouldn't change the daily break requirement; it wouldn't change the weekly work limit.

This rule only says: We are not going to move forward with more dangerous traffic times required by law until there is some proof that somehow this works out to their advantage. Drivers still can't work longer than the maximum 14 hours in a shift. They can't drive longer than 11 hours at a time. By the way, that is what the rules say now. They would still be required to take at least 10 consecutive hours' rest before starting the next shift, and they have to take at least 30 minutes before the 8 hours they come on duty. These safeguards will remain in place.

The provision the committee is offering as part of this bill merely suspends the two restrictions on the restart rule, which is only one subset of a larger part, a rule that would still be in effect.

During that suspension, the Federal motor safety group would be required to adequately study the effects of what they have required to happen here. It is also worth mentioning again that they have said they need to make this study. So why don't we let them? Traf-

fic accident reports would indicate we are forcing people to drive at a more difficult time.

Talking about the terrible accident we saw lately, the fact is, somebody who drives 24 hours straight, whether it is their own car or a truck, is in violation of every rule that is out there now.

The rules the Senator from New Jersey says we should protect because of the recent accident are the rules that were in effect during the recent accident. Those were the rules in effect then. If anything, we should say what rules were in effect a few days ago and how would we reevaluate them so this wouldn't happen again, rather than saying we have to have exactly the rules in effect we had in effect when the tragedy occurred. That makes no sense at all.

There are reasons to research this. There are reasons to look at it. One of the reasons to keep the current rules in place is not that they would have prevented the accident that happened, because the current rules were in place when the accident happened.

Reports have stated the vehicle was traveling too fast, and the person drove in their own vehicle long before they got in the other car. There is nothing in the amendment the Senator from New Jersey proposes that would have done anything about those violations of the rules our bill would leave in effect that Senator COLLINS and I are advocates for.

We don't want to put truckdrivers and others on the road in danger unnecessarily. The more cars that are out, the more likely you are to have an accident; the more cars and trucks that are out there, the more likely you are to have an accident.

This overnight rest rule has clearly put trucks on the road at a busier, more congested time. We believe that is not good. The committee, by a vote of 21 to 9, believes that is not good. I hope the Senate decides to stay with the decision the committee has brought to the floor.

Let's have a study. It should have happened before these rules came out, and it absolutely should happen now.

I see now Senators from Nevada on the floor. I do wish to mention again I am grateful to Senator HELLER for letting me make these remarks before we get to the amendment he wants to talk about.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that at 1:45 p.m. today, the Senate proceed to executive session to consider the following nominations: Calendar No. 770, Aguilar; No. 538, Nichols, to be Ambassador to Peru; No. 766, McWatters, to be a Member of the National Credit Union Administration; and No. 712, which is Wormuth, to be Under Secretary of Defense for Policy;

with all other provisions of the previous order remaining in effect.

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

The Senator from Nevada.

Mr. HELLER. Madam President, I thank my colleagues on the floor for their healthy debate on advancing traffic safety. I am sure we will hear a lot more about it, and I look forward to continued debate.

I also thank my colleague from Missouri for his support on the amendment I am about to offer and talk about. The amendment I am speaking of is the Heller amendment No. 3269 to H.R. 4660.

While I commend the chairwoman and the ranking member of the Appropriations Committee for all of their hard work in putting together the appropriations minibus to be considered on the floor, this is only the first of the appropriations bills that Congress needs to, and should, consider before the end of the fiscal year.

This will not surprise the American public, but this Congress is once again facing another October 1 deadline to complete all of the current fiscal year appropriations bills. We are now well into the year and only now are we starting to bring appropriations bills to the Senate floor. By our own calendar there are only 8 full legislative weeks left to avoid yet another continuing resolution.

Missed deadline after missed deadline has been a staple of this Congress. Without even a basic budget process, we have failed to pass any of the current fiscal year appropriations bills on time so far this year.

I know the Appropriations Committee has been working hard to pass each of their spending bills in committee, but all too often these bills end up being rolled into one large omnibus measure or a continuing resolution that is not subject to any amendments.

As our Nation faces a rising national debt, the American people can no longer afford Congress's failure to tackle our Nation's spending addiction. I must admit that since coming to Washington back in 2006, I have never seen Congress pass all 12 appropriations bills on time. In fact, I am certain most of my colleagues who serve with me today have not experienced a normal appropriations process, and there are probably even more Members who don't think it is even a realistic expectation to pass all 12 appropriations bills on time anymore. So I am here to remind everyone that Congress has been able to accomplish its regular budget and appropriations process before in recent history.

A couple examples: It happened under President Clinton with a Republican Congress in 1996. It happened under President Reagan with a Democratic Congress in 1988. These are just two examples, but the fact remains that these deadlines have been met before, and now is the time to start meeting those deadlines again.

I have always said Washington, DC, is a pain-free zone that faces no consequences—zero consequences—if Members fail to do their jobs. I think it is time we start requiring accountability for Members of Congress in order to get things done.

I know many of my colleagues have heard me talk about my legislation, No Budget, No Pay. It is pretty simple: If Members of Congress do not pass an annual bipartisan budget resolution and all 12 spending bills on time each year, then they simply should not be paid.

I wish to repeat that last part: If Congress fails to pass all 12 spending bills on time each year, they should not get paid.

We have honest, hardworking Americans in the gallery and across this country who play by the rules. That rule says: If people do their job, they get paid. Why shouldn't it be the same for us as Members of Congress? We need to be honest.

We also need to recognize that both Democrats and Republicans are at fault. Governing from crisis to crisis while our long-term debt continues to grow is now the new normal in Washington. We need bipartisan solutions, but nothing will happen if Members of Congress don't start feeling some pain.

Instead of playing another game of brinkmanship, let's start working now on a plan that will place our Nation on sound fiscal footing or cultivate a progrowth economy that will produce jobs in the long term.

I have filed No Budget, No Pay as an amendment to this appropriations minibus to highlight that we have to end this cycle of inaction and indecision. Let's show the American people their elected officials are ready to lead and make the tough decisions these times deserve.

While I am not a betting man, I am from Nevada so I would bet that once again we will fail on passing any appropriations bills into law before October 1, and we will once again punt our responsibilities by doing another CR or omnibus.

I ask my colleagues—if you are sick and tired of this broken budget and appropriations process as much as I am, support No Budget, No Pay, and let's fix this problem once and for all.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Ms. LANDRIEU. I would ask unanimous consent that the order for the quorum call be rescinded.

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

Ms. LANDRIEU. Thank you, Madam President. I know Senator KIRK is on his way to give tribute to one of his staffer—a tragic situation—so I am going to be very brief.

Madam President, I come to the floor to support Senator COLLINS' efforts to bring some common sense to these

truck safety regulations, and I know this is a very emotional debate because of the tragic accident that occurred recently with a very well-known and well-respected comedian, Tracy Morgan.

I understand that there are families in my State and around the country who have had horrible and, unfortunately, fatal accidents with trucks that are more and more prevalent on our overcrowded highway system. I am not insensitive to those families, to those stories, and I honestly believe that what Senator COLLINS and I and others are trying to do is going to make a very unsafe situation more safe, not less safe.

There is really an honest and sincere disagreement among us that has to be debated. I am glad we are having this debate so that the evidence, the record, and the facts can speak for themselves.

This first came to my attention a couple of months ago when a group of citizens came up from Louisiana to say: Senator, we are shocked to tell you this, but there is a new rule out that is going to require truckers to sleep between the hours of 1:00 and 5:00 two nights a week.

I looked at them and said: That cannot possibly be correct. Nobody at the Federal Government would ever mandate when people are supposed to sleep.

I mean, how would you do such a thing? How can you tell people when to sleep and when to be awake? You can tell them how many hours they need to rest, you can determine how many hours they can drive before they have to take a break, but how exactly are you going to enforce when people sleep? That is going a step too far. So that is why I signed on with Senator COLLINS to say: Wait a minute, there has to be a better way.

When they told me—which I could not believe and later found it to be true—they said: Senator, don't you think that sometimes it is better for truckdrivers to drive at night when the highways are less crowded than during the day when they are more crowded, when children are on their way to school, when people are on their way to work, when most people have day jobs?

But there are millions of Americans who work at night. It is probably two-thirds who work during the day and one-third at night.

Wouldn't it be safer for the trucks to drive at night? Some of these truckdrivers can sleep during the day.

I said: Absolutely. That makes sense to me.

They said: Well, that is soon going to be illegal under these rules.

So that is why I got into this debate.

I am very respectful of Senator BOOKER, one of the outstanding, brightest lights that has hit this Chamber in a long time. His intellect is spectacular. His heart is in the right place. He and I both agree that we want our highways safe. We want the truckers rested. We don't like the crowding on the highways. But it is going too far when

the Federal Government starts mandating when workers should sleep. We just can't go there.

So I am going to support Senator COLLINS' legislation that is going to back up these no-commonsense rules and ask them to come back with another suggestion that will result in the same safety but not mandate when Americans should sleep. I think adults who drive trucks can make those decisions for themselves.

If the law is that they have to rest 8 or 9 hours in a 24-hour period, I think they are responsible enough to do so. If they are not, then they should be held accountable and prosecuted for reckless driving—which happens frequently—and they should then be appropriately punished, whether by fine or revocation of their license or jail time. But I cannot be part of any government that is making regulations demanding that people sleep a certain hour—not from midnight to 4, not from 2:00 to 7:00, but from 1:00 to 5:00 on consecutive nights a week. I just don't understand it, and I am not going to support it.

So this is not about safety; this is about government overreach to a point where it is almost visceral. There has to be a better way to come up with a rule to get our highways safe. I am open to it. Not this rule.

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

The PRESIDING OFFICER (Mr. BLUMENTHAL). Without objection, it is so ordered.

REMEMBERING LISA RADOGNO

Mr. KIRK. Mr. President, I rise to memorialize the life of my Washington, DC, scheduler who passed away yesterday, Lisa Radogno.

This is a picture of her. I am going to give these remarks as if I am talking to Lisa because this blow was such a severe one that we suffered yesterday.

Lisa Radogno was one of the brightest lights of my Washington, DC, office. She was such a strong supporter of mine, even stronger than I.

Lisa was a diehard White Sox fan. She even had a White Sox logo tattoo on her ankle. We will miss her so very dearly.

Lisa, I will tell you that this loss is—sorry, Mr. President. I get very emotional about this death that just happened yesterday. I want to memorialize Lisa, who was so much like her mother, State senator Christine Radogno of Lemont, dedicated to the service of the people of Illinois. She was a fierce, fierce worker on campaigns and here in the Senate. She is somebody I will miss with every fiber of my being. She was with me in the House of Representa-

tives and here in the Senate and was so proud to represent the people of Illinois here in the Senate.

To have her die yesterday was a big blow, especially for a young woman in her thirties. It is a real shock to my staff to have Lisa gone from us.

Lisa, these days are going to be really hard. I will just say you ran the schedule so perfectly. It was a work of art, in your case, to do the complicated workings of a House office, of a Senate office, to be so perfect and so young in what you did. The staff is all now in shock. You were certainly the social light of our operation here in Washington, DC.

I spent a good part of last night on your Facebook page looking at pictures of you, and it really caused me to cry a bunch. I will miss you, especially in our office, and watching you online quite a bit, hoping that Facebook leaves up those pictures forever so I can always take a quick look at your smile and remember your humor, which was always right at the ready.

Lisa was such a strong supporter of my office. To have her lost like this so suddenly was a big shock to us. This is pretty hard for all of us in the Kirk operation to handle.

Thank you Mr. President. I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Ms. AYOTTE. Mr. President, I know we have pending now the appropriations bill for Commerce, Justice, and Science, which contains an important issue I have offered an amendment on, along with Senator CHAMBLISS, who is the ranking Republican on the intelligence committee, as well as Senators WICKER, INHOFE, CRUZ, GRAHAM, and BLUNT, all of whom serve on the Armed Services Committee, and Senator VITTER and Senator KIRK. Our amendment would prohibit the administration from transferring to or releasing to the custody or control of any foreign country Guantanamo detainees whom our own Guantanamo Review Task Force has recommended for continued law-of-war detention.

This is a task force that looks at all the circumstances surrounding those who are being held at Guantanamo, including whether they continue to represent a danger to our country and to our allies if they were to be released.

Our amendment does three things. It prohibits the transfer to foreign countries of these detainees, that this group the administration put together to review each of the detainees and their status at Guantanamo has recommended them for continued law-of-war detention.

These are the worst of the worst. These individuals have been determined to be the most dangerous to continue to present a risk to the United States of America and to our allies if they were to be released.

So our amendment is pretty straightforward. It simply says they cannot be transferred to third-party countries—

or transferred to the United States of America, for that matter—and that they shall remain at the secure detention facility, Guantanamo Bay, based on the recommendation of the Guantanamo Review Task Force.

Our amendment would also prevent the transfer of Guantanamo detainees to countries that have had prior instances of Guantanamo detainees being transferred to that country and then those detainees getting back in the fight against us.

It is pretty common sense. If we have a history with a country where we previously, under either the Bush administration or the Obama administration, transferred the detainees there and then they have been released and have gotten back in the fight against us or our allies, why would we want to transfer them to this type of country again? Because, obviously, these countries cannot guarantee the security of these detainees, and it puts us and our allies at risk.

Finally, our amendment would prohibit the transfer of Guantanamo detainees to countries that have failed to honor their previous commitments to the United States of America to monitor, detain, or control the travel of former Guantanamo detainees. Again, if we have had a prior agreement with a country and we have transferred a detainee or detainees there, and they have failed to honor those agreements, why would we want to transfer detainees there now?

The most recent instance of this was the five Taliban dream team who were transferred to Qatar, because the country of Qatar actually had a prior instance where they failed to honor their commitments to us with regard to how they would treat the detention and travel restrictions on a Guantanamo detainee.

I am deeply concerned about the national security implications of the five detainees who were transferred in the prisoner swap. In fact, having asked our intelligence officials about what will happen to these five detainees, what I have heard from them is on a scale of 1 to 10, 4 out of 5 of those detainees are a 10 for 10 on the likelihood to get back in the battle against us or our allies. The fifth is about an 80-10 scale. We have a 29-percent reengagement rate or recidivism rate from those we have held at Guantanamo, meaning 29 percent of them get back in the fight against our country, against us, against our interests after they have been captured and put in Guantanamo.

So we have a history here, and it is important if the administration is going to transfer anyone out of Guantanamo they not transfer individuals who have been found too dangerous to be let loose because they have been designated for continued law-of-war detention and they present too much of a risk to our country and the world. Second, to not transfer these individuals to countries where we have already