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Senate

The Senate met at 2 p.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer.

Let us pray.

Almighty God, thank You for Your steadfast love and unchanging mercy, for we are sustained by Your tender compassion.

Give our lawmakers the wisdom to follow Your example of self-sacrifice and keep them from traveling down dead-end paths. Lord, strengthen them in their challenging work, as they strive to find common ground. Shield them from strife, as they seek to unite for the good of our Nation and world. Empower them to trust You, even during life's storms, believing that in everything You are working for the good of those who love You. Lord, do for them exceedingly, abundantly above all that they can ask or think.

We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER (Mr. COTTON). The Democratic leader is recognized.

NOMINATIONS

Mr. REID. Mr. President, it seems as if every day the majority leader keeps telling us how great the Senate is working—better than ever, he says. Let's take a look at a couple of things today.

The growing backlog on nominations is another story. There are more than 100 nominations pending in committees. This is an interesting way the Republicans do this. They say we do not have anything on the calendar. We cannot have anything on the calendar if they do not report them out of the committees.

There are 48 nominations currently pending in the Foreign Relations Committee, including Ambassadors of really important countries, such as Pakistan, Finland, Sweden, Kosovo, and many other countries. The Environment and Public Works Committee has 11 pending nominations, and 9 nominations are waiting in the HELP Committee. At the Homeland Security and Governmental Affairs Committee, there is a score—many of them there. There are eight nominations awaiting consideration in the banking committee. Seven are pending in commerce, and six await Senate Finance Committee action.

In the Judiciary Committee—I spoke here a little while ago, a week ago, about Judge Felipe Restrepo. He is a Federal district court judge in Pennsylvania. It is being delayed, even though both Senators—a Democrat and Republican—from Pennsylvania want this nomination to go forward. So they say. He is one of 20 pending nominations awaiting in the Judiciary Committee. That is unbelievable. Committee consideration is not the only obstacle to confirmation, the Republican leader also slows down the consideration once they get here on the floor.

The Republicans' refusal to consider the President's judicial nominations is especially pronounced, especially when you consider that the assistant Republican leader came to the floor here and said we are going to move these expeditiously. He is from Texas. We had one judge, George Hanks, who was confirmed by a vote of 91 to 0. He was only the second judicial nomination we have

considered in this Republican Congress in some 5 months.

Imagine that. We know there are judicial emergencies and vacancies throughout the country, but we have only considered two judges in this entire Congress.

When this year started, we had 12 emergencies. Now there are 25, more than double from the beginning of this year alone. In Texas alone, there are seven judicial emergencies, the most of any State in the Nation.

Judge Olyvera has been nominated to fill a judicial emergency in the Southern District of Texas. His nomination certainly was not controversial. It was reported out of the Judiciary Committee by voice vote in February.

At his hearing, as I indicated earlier, the assistant majority leader said he wanted to move these judges expeditiously. If this is expeditiously, I do not know what the term means. Why is this noncontroversial nomination being delayed for months? Is this the type of swift type of confirmation that Texans can expect from their leaders?

If our Republican colleagues would make good on their public statements and confirm these qualified executive and judicial nominations before the Memorial Day holiday, that would be great. But they are not going to. Is the Senate working better than ever? I do not think so.

HIGHWAY BILL

Mr. REID. "America is one big pothole." Those are not my words. They are the words of former Republican Secretary of Transportation Ray LaHood, a longtime Member of Congress and a Republican from Illinois. That is how he described America's crumbling infrastructure: "America is one big pothole."

It is hard to argue with Secretary LaHood's assessment. According to the Federal Highway Administration, 50 percent of American roads are in disrepair. Half of the roads we drive on

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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are in disrepair. What are State legislatures around the country doing? Raising the speed limit.

There are a number of places in America where the speed limit is 80 miles an hour. That means that this weekend—Memorial Day weekend—as American families load up their cars and head to the beach or the lake or to visit loved ones, half of the highways they travel on are in dire need of repair.

If that were not troubling enough, 64,000 American bridges are structurally deficient. As each day goes by, these roads and bridges get a little worse—one big pothole.

It is not just our roads and our bridges. Our Nation's infrastructure affects every means of travel. We are all distraught by last week's Amtrak train derailment in Pennsylvania. Eight people were killed. Hundreds were injured. It has been reported that the horrible derailment might have been prevented if speed control safeguards had been installed on this particular section of track.

What we have here in this Congress—my Republican friend, the senior Senator from Kentucky, is talking about the Senate running better than ever. I think not.

The story of our Nation's infrastructure woes is very clear. We have the technology. This great country has the resources. But my friends will not appropriate any money to do this. Stunningly, time and again, we have failed to fix the problems—one big pothole. Fifty percent of our roads are deficient, and 64,000 bridges are structurally deficient. Specifically, Republicans in Congress have refused to work with Democrats in making an adequate long-term investment in our country's service transportation.

What we have here time after time are short-term extensions of the highway bill. Before the Republicans hit town here, we used to do long-term highway bills—they have stood in the way of doing that—so that the Department of Transportation and leaders in all 50 States could plan ahead. That is why we did these long-term bills. The way it is now, a 2-month extension or a 6-month extension does not work. It is terribly inefficient and very, very expensive.

The highway trust fund runs out in about 8 or 10 weeks. The authorization for the Federal highway program expires later this month. Later this month, if we have not extended the highway bill, there could be no money spent on highways.

The fact that these programs are expiring is no secret. Our Republican colleagues have known about this deadline for months and months. Yet here we are at the end of May, and Republicans are no closer to crafting a long-term investment in our roads, bridges, and railways. They have not had a markup in the four committees of jurisdiction. In fact, Republicans are trying to do the opposite. They are going

to the extreme of gutting our already inadequate transportation.

Look at what happened with Amtrak. The House Republicans chose to cut Amtrak in the hours just after the derailment by a quarter of a billion dollars. Who could help but be astonished by this act of carelessness?

Former Pennsylvania Governor Ed Rendell, who knows quite a bit about Pennsylvania, speaking of the Republicans in Congress said: "Normally, after a tragedy, a pipeline bursts, a bridge collapses, everyone for a couple of weeks says 'we've really got to do something.' Here, less than 12 hours after seven people died"—of course, now it is eight—"these Republicans in Congress didn't even have the decency to table the vote."

They went right ahead and did it, cutting a quarter of a billion dollars from Amtrak.

In addition to what it does and does not do to highways, our bridges, our dams, is the fact that it stops job creation. Every billion dollars we spend on highway construction, infrastructure development, we create 47,500 high-paying jobs. Instead of slashing Federal funding or putting critical transportation infrastructure on the back burner, we should be crafting a long-term plan to boost our Nation's investment and infrastructure.

With precious little time before the Federal highway program expires, there is no hope for anything but a short-term authorization longer than a few months. We understand that. We are not happy about it, but that is the reality of the situation that the Republicans have forced us to be in.

The U.S. highway system is crucial to our Nation's economic well-being. It is how we move goods and services. It is central to American families who use our roads and bridges every day.

The American Society of Civil Engineers predicts that our economy will lose \$1 trillion without adequate infrastructure investment. That is almost 3.5 million jobs, and some say more than that.

Congress must invest in working families and businesses by addressing our Nation's transportation needs. I invite congressional Republicans to work with us in building bipartisan consensus to ensure a strong and robust investment in our Nation's infrastructure. What is being done as we speak is that they are trying to patch together a 2-month extension. A 2-month extension or a 6-month extension, I think, is the wrong way to go. It is not good for our country.

Would the Chair announce the business before the Senate today.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be

in a period of morning business until 3 p.m., with Senators permitted to speak therein for up to 10 minutes each.

The Senator from Utah.

HIGHWAY BILL

Mr. HATCH. Mr. President, I wish to take just a few minutes today to talk about the ongoing effort to maintain funding for the highway trust fund.

As we all know, while the highway trust fund currently has a large enough balance in terms of funding to last another 2 months, contracting authority expires at the end of May. Therefore, unless this Congress acts before we break for the Memorial Day recess, we will start seeing work stoppages on transportation projects around the country.

No one wants to see that. There is bipartisan agreement on that basic point. There is similar agreement on the desire for a long-term highway bill. Members of both parties are tired of kicking the can down the road and want to see a real, long-term fix. The problem is that the bipartisan agreement tends to end there.

The gold standard for a future, long-term highway bill has been set at 6 years. That is what everyone apparently wants to see happen, though few have offered workable solutions on how to pay for it.

According to CBO, a 6-year highway bill would cost a little more than \$90 billion. That is not chump change, even by Congress's standards. It takes real work and significant policy changes to raise that kind of money. One party cannot do it alone. It takes cooperation and compromise, something that, unfortunately, has been lacking around here for some time.

As the chairman of the committee with jurisdiction over the funding for highways, I am committed to finding a solution that gets us as far into the future as possible before we have to revisit the issue again. Toward that end, I have been working with Chairman RYAN of the House Ways and Means Committee and others on a path forward.

Our initial plan was to pull together enough funding to get us through the end of 2015. That would have cost roughly \$11 billion—with a "b"—not an insignificant number, by any means, but very doable under the circumstances.

We had roughly \$5 billion in agreed-upon tax compliance offsets from the previous highway episode late last year. Chairman RYAN and I thought it seemed reasonable to couple that with an equal amount in spending reductions and reforms, getting us very close to what we would need to get the country through the rest of the year on highways.

For a time, it appeared as though at least some of our colleagues on the other side were willing to work with us on this general framework. Unfortunately, that cooperation did not last. In fact, it never really began.