

The New York Times has called City “the most ambitious sculpture anyone has ever built, one of those audacious improbable American dreams at the scale of the West, conceived for the ages.” The canvas which makes up the background of his art is the untouched desert land of the Basin Range, which makes it all the more monumental. Hundreds and hundreds of people worked on this under the guidance of Michael Heizer. He has done remarkable stuff all over the world. The latest thing he did is in Los Angeles—in the middle of the city of Los Angeles at the Los Angeles County Museum of Art. That is a big project, but it pales in comparison to this. What he did there, he moved a rock weighing 400 tons 102 miles through the cities of California. It is called Levitated Mass. The thing in L.A.—this 400-ton boulder—looks like it is suspended in space. It is not. But people walk under it.

I talked very recently to the Los Angeles County Museum director, and he said this thing needs no advertising. People come to see this. And that is the same way this will be. This is a wonderful piece of art.

One of the art critics for the Washington Post said it was the most—and I am paraphrasing—significant piece of art in the last 50 years in America.

When I first brought this up to President Obama, he said: Tell me what it is. Explain it to me. I said: I can’t. How, Madam President, as you are presiding over this body, would you describe this? It is really hard to describe, and we are only seeing a tiny bit of this. It is 2 miles long and 1 mile wide, approximately.

He has done amazing things. He has developed his own dirt. We have plenty of dirt in the desert, but he was afraid it would be washed away. This will never be washed away—the same up here.

As I indicated, he has art projects all over the world, but he is from Nevada. He has spent a lot of his time in Nevada for the last 48 years, in addition to his other projects. So I am very happy this has happened in Nevada.

By using his authority under the Antiquities Act, President Obama has helped preserve the life, history, and culture of Nevada—the land I love.

Look at this. This has been preserved for my children, my grandchildren, their children, and their grandchildren. This is exquisite.

Nevada is growing very rapidly. In the southern part of the State—Las Vegas—there are about 3 million people now. People are traveling all over Nevada, and we don’t have—even though it is a very large State—much unspoiled land, but this is something that has not been spoiled. There are no roads through it, no railroads, no power lines. This is beautiful, and I am so glad the President did this.

As renowned journalist Steve Sebelius wrote in his Sunday column in the Las Vegas Review-Journal, “Preserving the land from development was

the right thing to do. History will bear that out, long after the wails of the disaffected have ceased to echo through the desert canyons of Nevada’s newest monument.”

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

SALUTING CVS HEALTH

Mr. DURBIN. Madam President, the No. 1 preventable cause of death in America today: tobacco. People who use tobacco—smoking or chewing—develop a myriad of health problems, and many die prematurely.

Tobacco companies are a big business in America. They have been for a long time. And they really try their best to recruit new customers when they go into junior high and high schools. Now they are in the e-cigarette business too, but I want to stick with tobacco for a moment. The notion, of course, is, if you can addict a child to nicotine, they will continue to smoke and eventually become a lifelong user of tobacco products.

It has been a long time since I have engaged this industry in political contest. It was a little over 25 years ago when I was a Member of the House of Representatives that I boarded an airplane in Phoenix, AZ, at the last minute—a United airplane. I went to the ticket counter and said to the woman at the counter: Can I get on this plane?

She said: If you hurry, you can get on there. Here is where you are going to be seated.

And I said: Wait a minute. This is in the smoking section of the airplane and you have me in a center seat in the smoking section. Isn’t there something you can do?

She looked at my ticket and said: No, Congressman, there is something you can do.

So I got on that plane and flew from Phoenix to Chicago in the smoking section of the airplane—there used to be such things—and thought to myself: This is madness. Here I sit, a non-smoker, breathing in all this second-hand smoke, and there is an elderly person in the so-called nonsmoking section two rows away, and there is a lady with a baby, and why in the world do we have to be subjected to this?

So I came back to Washington and introduced a bill in the House of Representatives to ban smoking on airplanes. After a lot of work and a lot of

good luck, I found out that the largest frequent flyer club in America—the House of Representatives—did not much like smoking on airplanes either, and I won—it surprised a lot of people—beat the tobacco lobby.

I called my friend Frank Lautenberg, the Senator from New Jersey, and asked him if he would take up the cause in the Senate. He did it masterfully. The two of us passed the law and changed the way America looked at smoking on airplanes.

Neither Senator Lautenberg nor I knew this was a tipping point in history. I did not know it. But people started thinking: If secondhand smoke is dangerous on an airplane, why isn’t it dangerous on a train, in a bus, in an office building, in a hospital, in a restaurant? Today, 25-plus years later, if you walked into someone’s office on Capitol Hill and they had an ashtray in the middle of the table, you would think: What are they thinking? People do not do that anymore.

It used to be standard and no one thought twice about lighting up. That was just your personal preference. Things have changed in America, and the number of people using tobacco products has declined because they have come to understand it is dangerous, it can kill you.

But we are not the only country on Earth that has figured this out. Many other countries are ahead of us in terms of regulating tobacco. If you travel overseas, take a look at cigarette packages. Ours still look pretty fancy. They have a little label on them. But in other countries, the cigarette packages are very stark and very limited in what they can say about the product. Most of what they contain are health care warnings: Tobacco can kill you. Tobacco can harm a fetus in a pregnant woman. These stark reminders are to discourage people from using tobacco products because countries overseas, just like the United States, understand how dangerous they are.

So it was in that context that I was amazed to read something a few weeks ago. The New York Times published a devastating series of articles on how the U.S. Chamber of Commerce has been playing a global strategy to fight against effective tobacco control laws in other countries—the U.S. Chamber of Commerce fighting tobacco control laws in other countries.

Why would the U.S. Chamber of Commerce—once considered a pillar of the American business community—be a champion promoting the sale and consumption of a deadly tobacco product in another country? It does not compute. One reason? The power, the money, and the influence of Big Tobacco is still very strong. The stories and letters published by the New York Times made it clear that the U.S. Chamber of Commerce has effectively rented out its letterhead to the tobacco industry, jeopardizing not only the reputation of the Chamber but all the member companies that belong to it.

I stand here today to salute one company that has fought back at this revelation of this activity by the U.S. Chamber of Commerce. CVS Health—you know them from their drugstores and pharmacies—announced it was going to quit the U.S. Chamber of Commerce because the Chamber's efforts to promote tobacco conflict with the CVS corporate policy that decided over a year ago to stop selling tobacco products in their drugstores.

I congratulate CVS Health. It is pretty bold when they decide they are going to walk out on the U.S. Chamber of Commerce because of these rotten policies they have in discouraging tobacco control overseas. Maybe this decision by CVS will give the Chamber of Commerce a reason to think twice about a policy that is going to result in deadly addictions and terrible disease. It should. The Chamber should end this insidious campaign as quickly as possible. Without question, CVS Health has shown again, as they did last year, that protecting the public health is good business and it is essential to good, responsible corporate citizenship.

The World Health Organization estimates that tobacco kills more than 6 million people worldwide every year. In the 21st century, 1 billion people—1 billion—are expected to die as a result of tobacco. And many of these deaths are in the poorest nations on Earth—8 out of 10 of today's smokers living in low-income and middle-income countries. It is unconscionable that the U.S. Chamber of Commerce is going after the laws to protect the people in these poor countries.

More than a decade ago, the World Health Organization adopted an international treaty focused on reducing tobacco consumption. This treaty, supported by 180 countries, obligates nations to employ practices to reduce tobacco use. We have made a lot of progress in the last 10 years. Madam President, 49 countries have passed comprehensive smoke-free laws protecting over 1 billion people. Madam President, 42 countries have strong, graphic warning labels, covering almost 20 percent of the population that buys these products. These policies save lives and prevent cancer, heart disease, and lung cancer.

It is hard to imagine how the U.S. Chamber of Commerce can rationalize policies that literally promote the death of innocent people from the use of tobacco.

Hats off to the CVS Health corporation for stepping up and showing responsible corporate citizenship in resigning from the U.S. Chamber of Commerce. Maybe if the U.S. Chamber of Commerce comes to its senses, CVS might consider rejoining it.

HAITI

Mr. DURBIN. Madam President, over the Fourth of July recess, I joined with Senator BILL NELSON and we went to Haiti. It is not a popular spot for Mem-

bers of Congress to go on a weekend, but we made a point of going. It was a return trip for both of us.

Our visit the first time was 5 years ago, after the devastating earthquake that left the capital city of Port au Prince in ruins, claimed more than 200,000 lives, and more than 1 million people were displaced from their homes. I recall visiting the island that many years ago, 2 years after the earthquake, and witnessing the ongoing devastation—people still living in tents. So it was with some satisfaction to see that Haiti has come a long way. Buildings are being rebuilt, the overwhelming majority of those displaced have found housing, and the economy is starting to recover.

The United States has been a major contributor to Haiti's recovery, and I want to praise the dedicated American Government officials who work in a challenging environment—notably under the incredible and tireless and amazing leadership of our U.S. Ambassador in Haiti, Pam White, a career employee of USAID and now our Nation's Ambassador to Haiti.

I noted that the Senate recently confirmed a couple of President Obama's nominees to become Ambassadors. There are now dozens still waiting. Can you imagine the United States of America in our Embassies overseas with no Ambassador month after month after month, when worthy people have been nominated and the U.S. Senate refuses to even consider an Obama nomination for Ambassador? Many of these are not political. They are career. They spent their career working in the State Department. Now, at the end of their career, they are named Ambassador, and the Foreign Relations Committee in the Senate, under Republican leadership, refuses to call President Obama's nominees for these ambassadorial posts.

In many countries, the foreign minister in those countries counts the days and weeks that the United States has not had an ambassador. It is an embarrassment. I hope the majority party now will at least give the President and our Nation the opportunity to put good representatives of our countries overseas.

Madam President, I wish to say a few words about the current President of Haiti, whose term ends this year. His name is Michel Joseph Martelly. He is known as Sweet Micky, which used to be his stage name when he was a rock and roll singer. He has now been the President 4½ years and has done some very good things. He wisely guided his nation through the post-earthquake process and a lot of political change.

The end of his term marks an important moment for Haiti and its future. Given that the Haitian Parliament dissolved in January, the success and timeliness of these elections cannot be overstated. I urge the political parties and candidates to renounce the use of electoral violence and to participate constructively in the upcoming elec-

tion. And I hope that the neighboring country, the Dominican Republic, will join with Haiti in resolving some very vexing immigration problems between these two countries. These are problems which involve some of the poorest people on that island of Hispaniola. We need to find a way to treat them in a decent and humane fashion so they can ultimately be located in a place where they can maintain their dignity and their work.

EVERY CHILD ACHIEVES ACT

Mr. DURBIN. Madam President, on the floor now when we return for debate is the Elementary and Secondary Education Act, which has been named the Every Child Achieves Act, and is before the Senate this week. We may finish it. The issue is our opportunity on a periodic basis to debate the future of K-12 education in America. Millions of Americans follow this debate. It affects their local schools and school districts.

It was under President George W. Bush that there was an amazing bill passed called the No Child Left Behind Act. What was amazing, politically, was that President Bush—a Republican and a conservative—called for a larger role by the Federal Government in evaluating school districts and teachers and in deciding whether they were succeeding. It was controversial from the start. Ultimately, we have moved away from it.

This new bill takes a much different approach. Instead of testing, testing, testing and grading school districts, we are basically shifting the responsibility back to the States to do this. It remains to be seen whether this is or will be an improvement.

We learned a lot under No Child Left Behind when we took a close look at test scores. To say what the average test score is at a school meant very little—or nothing—when we broke out the students at the school and found out that some were doing exceedingly well and some not so well at all. We could find groups of students—some minority groups, for example—who were not doing very well at school, but the other kids might have brought the scores up. So now, by disaggregating scores, we can target our efforts and make sure that some students have a fighting chance.

It remains to be seen, under this Every Child Achieves Act, whether we have gone far enough or too far in shifting the responsibility back to the States.

I will mention very briefly, because I see my friend and colleague from Vermont on the floor, that there is one amendment here that I have offered with Senator CAPITO. This bipartisan amendment would require States to include information on their State report cards about postsecondary enrollment rates at public and State institutions. It will allow States to go further and include information on private, public,