

Mr. INHOFE. Mr. President, first, I appreciate the comments made by the Senator from South Dakota, emphasizing what can't be done on short terms. I think we have been talking about that all morning.

Last week, 100 mayors from across the Nation wrote to the Senate leaders urging for a long-term transportation bill. They said, "If the status quo continues, deficient transportation infrastructure will cost American businesses \$430 billion by 2020."

Then there are the 31 construction and transportation groups that sent a harsh reminder to Congress that "past extensions have not led to a lasting solution to the Highway Trust Fund's repeated revenue shortfalls."

I remember because I have been around here for a while, and I have been through six of these transportation reauthorization bills. In the interim, we always end up with short-term extensions. People don't realize we can't do major projects with short-term extensions.

Now, I hear the argument sometimes that in this one we have a 6-year bill, but we are paying for only 3 years. That is fine. Make the argument. But there is something unique in the transportation system, which is that in the event we get through halfway—even though it is a 6-year bill—and the funds are not available to the existing shortages of what we have added, then all projects stop. Not a penny can be spent. This isn't true anywhere else in our government, and I think people have to realize that if we are going to do it.

When the Senator from Minnesota was talking and showing these very graphic pictures of the bridge that collapsed killing 13 people, that really sends something home. We can't wait until that happens before we do the responsible thing.

I have to remind my conservative friends it is our constitutional duty. When we were sworn into office, we swore to uphold the Constitution of the United States. The Constitution in article I, section 8 tells us what we are supposed to be doing: We are supposed to be defending America, including our bridges and roads. That is what we are supposed to be doing.

There is a way. I hope the people who—unless they just don't want to take care of these big, serious problems and want to continue with the short-term extensions, there is a way we can do this. We will be asking for unanimous consent to go ahead and make a vote on what we are voting on right now and considering. If all time has to expire, it would be 5 a.m. tomorrow on the Inhofe substitute for the bill. That means we then wouldn't get around to having this bill passed until Thursday, and Thursday would be after the House is gone. So it is over. That is it. This would be a very easy thing to do.

Again, I am going to remind people that while we don't have the chance for amendments after this vote takes

place, we can still have the manager's amendment, where I personally will consider every one of the amendments that comes forth. I am hoping that will happen.

That is what we are faced with right now.

Mr. President, I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:35 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

HIRE MORE HEROES ACT OF 2015— Continued

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, this Friday, July 31, the authorization for the highway trust fund will expire and the fund itself will be nearly out of money. That means that unless Congress acts, projects in New Hampshire and across the country will grind to an abrupt halt. In the face of this, the House has passed yet another short-term, stopgap bill. The Senate is now debating and amending a long-term highway bill.

My clear preference is for a long-term bill. I think it would be a terrible mistake to pass yet another short-term extension without at the same time taking action on a long-term bill like the Senate is currently doing. Only passing another short-term extension—which would be the 34th since 2008—without taking steps toward a multiyear bill would be kicking the can down the road, and in this case the road is overwhelmed by traffic, badly in need of modernization, and filled with patches and potholes. If you have driven around on the roads in the District of Columbia, sometimes you wonder where you are because they are so bad, so filled with potholes. For a country that seeks to remain competitive in the 21st century, as we do in America, this is totally dysfunctional and destructive.

There are few more basic and necessary functions of government than providing for modernized highways, bridges, and other transportation infrastructure. Yet in Congress we have been grossly neglecting this responsibility. China spends about 9 percent of gross domestic product on infrastructure. Brazil spends about 8 percent. Even in Europe they are spending about 4 percent. But infrastructure spending in the United States has fallen to just 2 percent of GDP.

Our highways and bridges face an \$800 billion backlog of investment needs, including nearly half a trillion dollars in critical repair work. Americans spend a staggering 5.5 billion hours stuck in traffic each year. Yet in early May we saw a budget pass out of this Congress

supported by the majority party that slashed Federal funding for transportation by 40 percent over the next decade.

I am especially concerned about disrepair and decay among our Nation's bridges. That is why I filed an amendment which is a bill I have introduced in previous Congresses called the SAFE Bridges Act. The Federal Highway Administration has identified more than 145,000—145,000—structurally deficient or functionally obsolete bridges. That is more than 20 percent of all the bridges in the United States. In New Hampshire it is actually a higher percentage.

In May, I went with the mayor and city manager of Concord—New Hampshire's State capital—to inspect the rusted-out and now-closed Sewalls Falls Bridge, which is one of the three critical bridges in Concord across the Merrimack River. I worked very hard with the city—our office did—to get necessary approvals from the U.S. Department of Transportation to replace this bridge. In fact, it is a replacement project that started back in 1994. The city of Concord lined up all the permits and approvals—and then nothing. Because of uncertainty about Federal funding for the project, it was stopped dead in its tracks.

My amendment, the SAFE Bridges Act, would authorize an additional \$2 billion annually for the next 3 years to enable States to repair and replace their structurally deficient or functionally obsolete bridges. States would get funding based on their share of deficient bridges nationwide, and the additional funding is fully paid for by closing a corporate tax loophole.

As the Senate continues to debate the Transportation bill, I hope we do get an opportunity to vote on relevant amendments like my SAFE Bridges Act.

The neglect of our transportation infrastructure is creating congestion and gridlock on our roads. It is hurting our economy and our global competitiveness. It is also killing jobs—especially in the construction trades, where employment has yet to recover from the great recession.

According to a Duke University study, providing Federal funding to meet the U.S. Department of Transportation's infrastructure requests would create nearly 2.5 million new jobs. So our investment in this industry, which is one of the slowest recovering from the recession, would create millions of new jobs.

Several months ago, I joined in a bipartisan group of eight Senators who had previously served as Governors—Senators KING, ROUNDS, KAINE, HOEVEN, WARNER, CARPER, MANCHIN, and myself. We sent a letter to our Senate colleagues urging that we commit to fully funding national infrastructure priorities and that we put a stop to the dysfunctional short-term fixes that have become routine in recent years.

I know the Presiding Officer appreciates that it was a visionary Republican President, Dwight Eisenhower, who championed the Interstate Highway System in this country. The National Interstate and Defense Highways Act of 1956—I think it is critical to think about the title of that bill which was not just about commerce, but it was also about defense. It was about the security of our country. It ensured dedicated Federal funding to build a network that today encompasses more than 46,000 miles of roadways. That system has transformed our economy and created countless millions of jobs, but it is now six decades old. Its dedicated funding mechanism, the highway trust fund, is chronically underfunded and just days from becoming insolvent. It is time for Congress to come together on a bipartisan basis to break the cycle of patchwork fixes.

The bill before us is not perfect. There are a number of provisions included that I don't agree with, if I had been writing the bill, but it is a compromise measure, and it was ably negotiated by the leadership of the Environment and Public Works Committee, Senator INHOFE and Senator BOXER, along with numerous others in this body.

We have the opportunity to pass a 6-year authorization bill with 3 years of funding. Yet what is happening in the House today? The House is passing another short-term extension. They are getting ready to leave town. They are not even going to stay and take up the long-term bill that is going to come out of the Senate. They are going to give us another short-term bill that is going to leave States such as New Hampshire up in the air, with thousands of people who are not sure if they are going to have a job next week when the money runs out, who aren't sure what the future is going to hold, companies that can't plan because they don't know if we have a long-term highway funding bill.

It is now time for Congress to pass a fully funded, multiyear highway bill that will allow governments at all levels to plan long-term capital investment projects and to build a 21st-century transportation system that meets the needs of our 21st-century economy.

I hope that we in the Senate will be able to pass this bill and that our House colleagues will recognize they need to stay here and get this work done.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. HOEVEN. 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. HOEVEN. Mr. President, I ask unanimous consent to speak as in morning business for up to 10 minutes.

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

KEYSTONE PIPELINE AND OIL SANCTIONS ON IRAN

Mr. HOEVEN. Mr. President, I am here to speak about energy, both lower cost energy and who is going to supply it.

One might say: Why today? Well, because sources tell me that after almost 7 years, President Obama is going to turn down the Keystone Pipeline project—7 years. This is an application that was filed by the TransCanada company in September 2008. So here we are in year 6, and in September it will be 7 years that the application has been pending. The administration has still not made a decision—defeat through delay. So the question is, Why then is he going to turn down the project now? It is because he will wait until Congress is out of session in August. Then he will turn down the project while Congress is not in session to have less pushback, less criticism, of his decision if he makes it under the radar. That timing is understandable because he is making a political decision rather than a decision based on the merits.

As we know, Congress overwhelmingly supports the project. The House overwhelmingly passed approval of the Keystone Pipeline project. In the Senate, we had 62 votes in favor of the measure. We were actually missing some of our Members or we would have had 63, but there was strong overwhelming bipartisan support in both the House and the Senate. We sent the bill to the President and he vetoed it, but he still has not made a decision. He vetoed it saying it was up to him to make a decision, not the Congress. Congress went on record overwhelmingly in support of the project. Congress approved the project, but he vetoed the bill.

It is the President's decision to make. Now we hear he is going to make it and turn down the project, but the Congress overwhelmingly supports it. The States on the Keystone Pipeline route overwhelmingly support it. There are six States on the route and every single State has approved the project: Montana, South Dakota, Nebraska, Kansas, Oklahoma, and Texas. They all approved the project. Congress supports it, the States support it, but most importantly the American people support it. In poll after poll, the American people have overwhelmingly shown support for the project—65 to 70 percent—strong, overwhelming support for the project.

Why do they support it? This is what it is all about: the merits of the project. They support it on the merits because it means more energy for this country that is produced in this country, in Canada, in my home State of North Dakota, and in Montana. There are 830,000 barrels of oil a day produced in Canada and the United States that can be refined in our refineries and can be used right here, rather than getting

it from some other country such as OPEC, Russia, Venezuela, you name it. It is energy we produce here at home. First and foremost, Americans support it because they want our energy produced at home. They want us to be energy secure. It is about jobs. It is about jobs.

This is a multibillion-dollar investment that creates good construction jobs. It is about economic growth, growing our economy here at home, working with our closest friend and ally, Canada. It is also about national security through energy security—not having to depend on the Middle East or OPEC for our energy. It doesn't cost the Federal Government a penny—not a penny. This is, as I say, a multibillion-dollar project that is completely built with private investment that would generate hundreds of millions of dollars in local, State, and Federal tax revenue. It would not cost the Federal Government one penny, generating hundreds of millions of dollars in cash revenues at the local, State, and Federal levels.

But maybe the greatest irony of all is this: At the same time the President is making it harder to produce energy here at home in our country and get energy from our closest friend and ally Canada, he wants to make it easier to produce oil in Iran. Think about that. Right now the President is pressing Congress to approve an agreement with Iran that would remove the sanctions on oil production and exports in Iran. Under the proposed agreement that the President has submitted to this Congress, he includes releasing the U.S. sanctions put in place by Congress that limit and restrict Iran's ability to produce and export oil. These include energy sanctions that limit Iran's sale of crude oil, which was specifically passed by Congress. Also, he wants to remove the sanctions on investment in Iran's oil, gas, petrochemical, and automotive sectors—again, sanctions passed by Congress. He wants to remove sanctions on the energy sector equipment and gasoline sanctions that were passed by Congress. In essence, what the President is doing is allowing Iran to export its oil, he is allowing investment to help them produce more oil, and he is allowing the export to Iran of technology that will help them produce more oil and gas. At the same time, by turning down Keystone, the President is making it harder for us to produce and transport oil and gas in our country and work with our strongest ally, Canada. So what is the net effect of that? The net effect of that is it helps put OPEC back in the driver's seat.

If you don't believe me, let's just take a look at the numbers. The numbers don't lie. Prior to 2012, before we put the Kirk-Menendez congressional sanctions in place as part of the National Defense Authorization Act at the end of 2011, during that year, at that time in 2011, Iran was producing 2.6 million barrels of oil a day. By 2013,

after the Kirk-Menendez sanctions had been in effect, Iran was down to exporting only 1.1 million barrels a day. Iran had gone from 2.6 million barrels a day down to 1.1 million barrels a day of oil they were producing, exporting, and getting paid for. We cut that by more than half.

My State of North Dakota alone produces 1.2 million barrels a day. That is more than Iran is exporting right now, but if all these sanctions come off, Iran gets to go back up to that 2.6 million and beyond. One million barrels at \$50 a barrel is \$50 million a day. One can see this means hundreds of millions and billions of dollars to Iran. This is certainly something to think about, going from 2.6 million barrels a day and having put sanctions in place, knocking it down to 1.1 million barrels—and that is with exceptions the President has allowed to the sanctions. That is without the sanctions being fully implemented. It shows that the sanctions are very effective. It also shows that if we release them, Iran will get incredible amounts of money—not only dollars that have been held from them, but dollars they are going to generate every day from increased oil production.

So the President wants us to relieve these sanctions at the same time he, in essence, impedes our oil and our growth in energy development in this country.

The simple question I have is, How does that make sense? How does that make sense? How do we get into a situation where we are enabling Iran to produce more oil, but the U.S. produces less? That makes no sense, but that is the impact of the President's decision.

The President will make an argument that is based on environmental factors. He will say he is making that decision for environmental reasons. He doesn't want the oil produced in Canada. He usually just doesn't talk about the light sweet crude that is produced in the Bakken area of North Dakota and Montana, which is the lightest, sweetest crude I know of. He tries to make the argument that he doesn't like oil that is produced in Canada for environmental reasons.

Remember I said this has been pending now for almost 7 years. We are in year 6. In the President's own Department of State, the environmental impact statement says the Keystone will have no significant environmental impact. It will be interesting to see when Congress is out of session—in August when the President turns this down, trying to get under the radar—what he has to say about how he is going to address the State Department's clear environmental impact statement, finding no significant environmental impact, but we will see what it is. At the same time, the President will work to convince Americans that all sanctions should be lifted from Iran so they can produce more oil and bring more money into their country.

There is an old saying. Essentially it goes like this: Those who fail to heed

the lessons of history are destined to repeat them. President Obama is not breaking our dependence on foreign oil, he is reinstating it. The President is not strengthening our energy future, he is weakening it, and I urge him to reconsider.

With that, I yield the floor.

I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

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

OBAMACARE

Mr. BARRASSO. Mr. President, every day it seems as though Americans are hearing more and more news about how badly ObamaCare is failing. Some of the latest headlines have had to do with just how expensive health insurance is going to be next year under the President's health care law. The price increases that are being reported are truly staggering. Insurance companies are planning to raise rates 20 percent, 30 percent, even 40 percent on some of their plans, and they say it is because of the health care law.

The New York Times had an article just a couple of weeks ago. It quoted one lead advocate in the State of Oregon saying specifically that some people may "start wondering if insurance is affordable, or if it's worth the money."

Well, a lot of Americans have been wondering if the entire health care law is actually worth the money. Now, some Democrats have said that these outrageous price increases will not affect everyone. Well, they sure affect a lot of people. You know, my colleagues on the other side of the aisle say that the increases will not be as large as they are going to be, if you are willing to switch plans every year or if you accept less access to doctors or even less access to medications.

Well, the argument makes the same mistake that President Obama made from the beginning about the health care law, and it confuses coverage with actual care. In Connecticut, some insurance companies say they have come up with ways to slow down the increase in their premiums. What they are doing is they are actually cutting access to care. One company decided that it could save some money by reducing the use of specialty drugs. So some people who have this insurance may not be getting the drugs they used to get.

Another company in Connecticut decided that it could charge a little less by limiting the number of doctors that the patients could see. Instead of raising rates by 12.5 percent next year as

they had planned, they said the company will now just be raising rates 11.5 percent. That is the kind of situation that hard-working families are facing—higher premiums, less access to care.

These narrow networks of hospitals and doctors are not just hurting people in Connecticut. They are turning up in ObamaCare plans all across the country. There was a study that came out this month. It found that plans offered through ObamaCare insurance exchanges across the country covered 34 percent fewer doctors than the average plan sold outside the exchanges.

Now, it is even worse for some specialists. According to the report, exchange plans include 42 percent fewer oncology and cardiac specialists. That is cancer doctors. That is heart doctors. So if you have cancer or if you have a heart condition, there is a much lower chance that your doctor is covered by your ObamaCare insurance.

People are paying outrageously high premiums, copays, and deductibles, and they are left with insurance coverage that may not cover their care. So a lot of people have decided they just cannot afford the Affordable Care Act. They would rather pay a tax penalty to the IRS than spend hard-earned money on this limited and expensive ObamaCare insurance. According to the IRS, last year 7.5 million hard-working taxpayers paid that tax penalty. That is 1 out of 17 taxpayers. Another 12 million people could not afford ObamaCare insurance or did not want it, and they filed a form saying they should not have to pay the penalty at all because it was unaffordable. There were only 6 million people who actually signed up for ObamaCare exchange plans last year. Almost 20 million people rejected ObamaCare because it was too expensive and it was not right for them and their families.

Now, President Obama has said repeatedly that the health care law is working—he said even better than he expected. Is this what he is talking about—even better than he expected? More Americans are rejecting ObamaCare than are signing up for it on the Federal exchange. Is that better than the President expected? Does President Obama think that the Federal insurance exchange is working better than he expected?

There were headlines about this recently as well and how Washington has failed to protect taxpayer dollars. The Government Accountability Office set up a test of healthcare.gov, the President's Web site, the one that failed so miserably. What they did is they created 12 fraudulent applications in order to see if they could actually get health insurance subsidies using fraudulent applications, and 11 of those 12 phony applications were approved last year. Now, here we are a year later. It turns out that the Washington bureaucrats—you cannot believe it—reviewed these policies and renewed the taxpayer-funded subsidies for all 11 of these phony applicants. Some of them even

got higher subsidies this year than they did last year.

So what does the Government Accountability Office say about it? Well, the chief investigator looked at it. He said: There still appears to be no system in place—no system in place—to catch missing or fabricated documentation. It is incredible and it is disturbing, and it is no surprise that taxpayers are offended.

Finally, we are also seeing more news about one of the taxes that the Democrats included in their health care law. There was a headline in the New York Times last Wednesday: “Concern Grows on Health Tax.” That was on Wednesday, July 22, first page of the business section. “Concern Grows on Health Tax.” Now, this is about the new 40-percent tax on so-called Cadillac health insurance plans. These are the plans that employers offer to their workers. These are the plans that Washington says are too generous.

The article tells the story of Kurt Gallow, who works at a paper mill in Longview, WA. When you follow over, it says: Concern grows over excise tax’s effect on health care plans. There are a number of people working and talking at this location in Longview, WA. But the story of Kurt is also about his wife, Brenda. She has diabetes. The article says that Kurt and Brenda are “worrying about his company’s proposed new health care plan, which would require workers to pay as much as \$6,000 toward their family’s medical bills.”

Now, that is a huge amount of money for anyone. But it is a huge amount of money for some of these very hard-working families. Now, these are changes that their employer has to make because of the President’s health care law. You know what. This is not even an ObamaCare plan. This is not something they are buying through the exchange. These are people who get their insurance through work. Now, President Obama said that if you get your insurance through your job, “nothing in this plan will require you or your employer to change the coverage or the doctor you have.”

Well, millions of Americans across the country are finding out that was just one more expensive broken promise made by the President. ObamaCare continues to be a complicated and costly mess. Republicans have offered good ideas about how to lower health care costs, how to improve access, and how to help Americans lead healthier lives. We all have ideas that will get rid of some of the ridiculous Washington-imposed mandates that are driving up costs and forcing so many Americans to go without insurance and certainly without care.

Six years ago, the American people were unhappy with health care in this country. They did not think the solution was higher prices, less access to care, and higher taxes as well. The American people are not satisfied with these constant headlines about all of the problems with the President’s health care law.

Congress should not be satisfied with the current state of health care in this country either or with the disastrous side effects of the President’s health care law. It is time for the President to admit the health care law is causing pain and problems all across the country. It is time to start anew, to give people the care they need from a doctor they choose at lower costs.

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. CORNYN. 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. CORNYN. Mr. President, we all know the Chamber is engaged in the passage of a multiyear highway bill—not just highways, but this deals with mass transit, transportation infrastructure in general. To me, the most important thing about what we are doing is the fact we are not going to do another temporary patch—which we have done, I am told, 33 times—but we actually are going to pass a 3-year highway bill.

To me, the best news, I would say to the Presiding Officer, is now it looks as if we have the House thoroughly engaged, so it is not just a question of this bill or nothing. Perhaps, if experience is any guide, we can come up with something even better by collaborating with our House colleagues.

I wanted to come to the floor and talk a little bit about the impact of this bill on my State, the State of Texas, because we are a fast-growing State. We have about 27 million people there now. People are moving from around the country to Texas because our economy is growing. Last year, our economy grew at the rate of 5.2 percent. To compare that to the Nation, last year the Nation’s economy grew at 2.2 percent. What does that mean? That means there are a lot more jobs and a lot more opportunities, so people are literally voting with their feet, leaving the States where there are limited opportunities and coming to States such as Texas where there are more opportunities. But that means more congestion, more traffic, and more challenges when it comes to our roadways, our rural freight routes, and it means challenges for our economy.

Many States, of course, would be delighted to have the problems we are having because, frankly, people are moving away from many States, not to many States. I know the Presiding Officer’s State of Oklahoma is experiencing economic growth and job growth too because we share a common interest and sector of our economy, the energy economy, which the rest of the country would do well to learn from the examples in Oklahoma and Texas as part of our economic success story.

As others have mentioned, one of the chief reasons this bill has so much en-

thusiasm behind it is because it gives freedom and flexibility to the States to plan for infrastructure needs in the future. It perhaps should go without saying, but a 6-month patch, if we were to kick this over until December, doesn’t give anybody any certainty to plan these long-term infrastructure projects which take literally not months but years.

As I said, for a State such as Texas that is growing rapidly—by some estimates 600 people a day are moving to the State—improving our roadways and bridges is vitally important for the continued growth of our economy and increased prosperity for our people, and we have the practical challenge of handling a growing number of cars and trucks on our roads. One way this bill gives added freedom and flexibility to the States is through a provision that would help Texas and other border States meet their growing infrastructure needs, particularly at the southern border, with improvements that are not only necessary to get us and goods from point A to point B, but to keep us safe as well.

Frequently, when we talk about the border, we talk about border security. That is a very important consideration and, frankly, we have not committed the Federal resources we should to border security to make sure we know who is coming into the country and why they are here. Of course, we know that recently, even in the news, people have continued to penetrate our border, even those with criminal records, causing havoc and, indeed, committing crimes against innocent people such as occurred recently in the terrible incident that happened in San Francisco.

Our border, border infrastructure, and border security are the front lines of our defense, to keep our people safe, to regulate who comes into the country, and to make sure that only legitimate people can enter.

The question is—as one law professor recently testified before the Senate Judiciary Committee, when it comes to immigration, there is really only one question: Are you going to have controlled immigration or uncontrolled immigration? It is basically that simple.

I am on the floor to talk about transportation and the importance of this bill in terms of the border infrastructure when it comes to trade and commerce, but as I mentioned, it also is an important frontline when it comes to the safety and security of the American people.

We are fortunate in Texas to be the top exporting State in the Nation. That is one of the reasons our economy has grown faster than the rest of the country. The agricultural products that are grown there, the livestock that is raised, and the manufactured goods that are made are exported to markets all around the world, which creates good jobs, well-paying jobs at home.

It also takes good infrastructure to move more than \$100 billion in exported goods from Texas to Mexico each year, supporting hundreds of thousands of jobs in Texas alone. It is estimated, when you look at the Nation as a whole, that binational trade between Mexico and the United States supports as many as 6 million American jobs. That is something we frequently overlook when we talk about our relationship with our neighbor south of the border and immigration, and that is there are many benefits to legal trade, traffic, controlled legal immigration, and, indeed, as I mentioned, \$100 billion of exported goods from Texas to Mexico each year supporting hundreds of thousands of jobs.

In this bill, by allowing Texas and other border States more flexibility in long-term planning of border projects, consumers and workers can benefit as goods are shipped more efficiently back and forth. Our border infrastructure is essential to moving massive amounts of trade, which travel through our ports of entry every day. For Texas and the United States to remain competitive, the border region must have the quality infrastructure to truck, train, and ship billions of dollars' worth of goods efficiently and safely.

Doing nothing to invest in transportation at the border is not a viable option. A recent report from the Texas State Legislature found that \$116 million in U.S. economic output is lost or forfeited every single minute. The trucks sit idle at the border with Mexico. They are literally frozen in place because they are bottlenecked because of archaic, antiquated infrastructure and lack of appropriate staffing at the border.

Infrastructure on the border also plays another important role, preventing things such as illicit drugs and merchandise from entering the country. In many respects, as I said, our border crossings, the technology employed there, and the professionals who work there—they are the first line of defense against bad actors who want to get into the country illegally or get contraband goods through our ports.

In Texas, better roads and bridges at the border region mean better economic opportunity and quality of life for our growing border communities. Fortunately, the border infrastructure provision in this highway bill would give the Governor in Texas and all other border States the freedom to assess the biggest transportation problems facing those States and would also provide essential tools to address them.

By dedicating funds to invest in border infrastructure projects at the discretion of State Governors, we can make sure our States have the resources they need to enhance trade and travel and to keep us safe at the same time.

This is not, of course, a new notion. Throughout my time in the Senate, I have worked with folks in Texas and

elsewhere, people on both sides of the aisle and on both ends of the Capitol, to try to find ways to facilitate greater levels of legitimate commerce and travel at our Nation's ports of entry and throughout the border region.

I am thankful for making this progress in this legislation. I commend my Texas colleagues—Congressmen WILL HURD and HENRY CUELLAR, among others—for working with us and for introducing similar legislation on border infrastructure in their Chamber. Hopefully, as we now move from a Senate bill to a House bill that can then be reconciled in a conference committee, these important improvements will be retained and be part of a conference report.

The bottom line is that quality infrastructure and making sure our border is safe and effective is a bipartisan, bicameral issue, and one that clearly unites people in my State and across the border region of our southern States.

I am thankful to see this provision included, and I hope it gets passed soon to give our States the opportunity to dedicate even more necessary resources to the border.

This provision is an important example of the overall theme of this bill, giving the States a reliable way forward to plan for their long-term infrastructure needs. More than anything else, I believe this legislation is an investment in our future and the next generation.

I thank all of our colleagues for working with us to get this bill moving forward. We have an important vote tomorrow morning, and then we have another final passage vote, I believe, on Thursday. In the meantime, the House is going to send us a 3-month bill, which will give us the necessary time for the House then to consider their own transportation bill and then to get us to a conference where we can reconcile the differences.

As the Presiding Officer and I have discussed before in the past, if that is any indication, that will give us even greater ability to influence the ultimate outcome in a way that improves this product in a bicameral and bipartisan sort of way.

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

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

PLANNED PARENTHOOD

Mr. COATS. Mr. President, in recent weeks, the American people have learned the shocking story of the barbaric practices Planned Parenthood uses to terminate life and to harvest organs of innocent human life. In a video released earlier this month that has gone viral—as it should have—the

senior director of medical research at Planned Parenthood explained the process by which she harvests aborted body parts to be provided for medical research. I quote her:

We've been very good at getting heart, lung, liver, because we know that, so I'm not gonna crush that part, I'm gonna basically crush below, I'm gonna crush above, and I'm gonna to see if I can get it all intact.

Additional videos have been released—I am told more are to come—with Planned Parenthood officials discussing the organ harvesting of fetuses. Unborn children. Beating hearts on the sonogram, on the screen. Human beings.

Despite the stunning impact and outrage of millions of Americans, Planned Parenthood's response to the release of these videos is this: Blame the messenger or the videographer, but let's not address the practice of harvesting aborted body parts.

Ross Douthat writes for the *New York Times*. I urge every Senator to read his July 25, 2015, column, entitled "Looking Away From Abortion."

Mr. President, I ask unanimous consent that this article be printed in the RECORD.

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

[From the *New York Times*, July 25, 2015]

LOOKING AWAY FROM ABORTION

(By Ross Douthat)

In an essay in his 1976 collection, "Mortal Lessons," the physician Richard Selzer describes a strange suburban scene. People go outside in the morning in his neighborhood, after the garbage trucks have passed, and find "a foreignness upon the pavement," a softness underfoot.

Looking down, Selzer first thinks he sees oversize baby birds, then rubber baby dolls, until the realization comes that the street is littered with the tiny, naked, all-too-human bodies of aborted fetuses.

Later, the local hospital director speaks to Selzer, trying to impose order on the grisly scene. It was an accident, of course: The tiny corpses were accidentally "mixed up with the other debris" instead of being incinerated or interred. "It is not an everyday occurrence. Once in a lifetime, he says."

And Selzer tries to nod along: "Now you see. It is orderly. It is sensible. The world is not mad. This is still a civilized society . . .

"But just this once, you know it isn't. You saw, and you know."

Resolute abortion rights supporters would dismiss that claim of knowledge. Death and viscera are never pretty, they would say, but something can be disgusting without being barbaric. Just because it's awful to discover fetuses underfoot doesn't mean the unborn have a right to life.

And it's precisely this argument that's been marshaled lately in response to a new reminder of the fleshly realities of abortion: The conversations, videotaped covertly by pro-life activists posing as fetal organ buyers, in which officials from Planned Parenthood cheerfully discuss the procedures for extracting those organs intact during an abortion and the prices they command.

It may be disturbing to hear those procedures described: ". . . we've been very good at getting heart, lung, liver, because we know that, so I'm not gonna crush that part, I'm gonna basically crush below, I'm gonna crush above, and I'm gonna see if I can get it all intact."

It may be unseemly to hear a Planned Parenthood official haggle over pricing for those organs: "Let me just figure out what others are getting, and if this is in the ballpark, then it's fine, if it's still low, then we can bump it up. I want a Lamborghini."

But in the end, Planned Parenthood's defenders insist, listening to an abortionist discuss manipulating the "calvarium" (that is, the dying fetus's skull) so that it emerges research-ready from the womb is fundamentally no different than listening to a doctor discuss heart surgery or organ transplants. It's unsettling, yes, but just because it's gross doesn't prove it's wrong.

Which is true, but in this case not really true enough. Because real knowledge isn't purely theoretical; it's the fruit of experience, recognition, imagination, life itself.

And the problem these videos create for Planned Parenthood isn't just a generalized queasiness at surgery and blood.

It's a very specific disgust, informed by reason and experience—the reasoning that notes that it's precisely a fetus's humanity that makes its organs valuable, and the experience of recognizing one's own children, on the ultrasound monitor and after, as something more than just "products of conception" or tissue for the knife.

That's why Planned Parenthood's apologists have fallen back on complaints about "deceptive editing" (though full videos were released in both cases), or else simply asked people to look away. And it's why many of my colleagues in the press seem uncomfortable reporting on the actual content of the videos.

Because dwelling on that content gets you uncomfortably close to Selzer's tipping point—that moment when you start pondering the possibility that an institution at the heart of respectable liberal society is dedicated to a practice that deserves to be called barbarism.

That's a hard thing to accept. It's part of why so many people hover in the conflicted borderlands of the pro-choice side. They don't like abortion, they think its critics have a point . . . but to actively join our side would require passing too comprehensive a judgment on their coalition, their country, their friends, their very selves.

This reluctance is a human universal. It's why white Southerners long preferred Lost Cause mythology to slaveholding realities. It's why patriotic Americans rarely want to dwell too long on My Lai or Manzanar or Nagasaki. It's why, like many conservatives, I was loath to engage with the reality of torture in Bush-era interrogation programs.

But the reluctance to look closely doesn't change the truth of what there is to see. Those were dead human beings on Richard Selzer's street 40 years ago, and these are dead human beings being discussed on video today: Human beings that the nice, idealistic medical personnel at Planned Parenthood have spent their careers crushing, evacuating, and carving up for parts.

The pro-life sting was sweeping; there are reportedly 10 videos to go. You can turn away. But there will be plenty of chances to look, to see, to know.

Mr. COATS. I will share a couple of excerpts from his piece.

Writing in the New York Times, Ross Douthat says:

And the problem these videos create for Planned Parenthood isn't just a generalized queasiness at surgery and blood. It's a very specific disgust, informed by reason and experience—the reasoning that notes that it's precisely a fetus's humanity that makes its organs valuable, and the experience of recognizing one's own children, on the ultrasound monitor and after, as something more than

just "products of conception" or tissue for the knife.

For those who defend the role of Planned Parenthood, Douthat writes that reflecting on the content of these videos "gets you uncomfortably close to . . . that moment when you start pondering the possibility that an institution at the heart of respectable liberal society is dedicated to a practice that deserves to be called barbarism."

I wish to repeat that again. He writes about the barbarity of what has taken place here and the videos of the response of Planned Parenthood—the description of what actually is happening to a child on the way to birth, seen in the ultrasound, hearing the beating of the heart, and then talking about the methods used so that certain parts of that body are not crushed and so that other parts of the body can be harvested for other purposes and sold—sold for money. That this is part of what Planned Parenthood is all about is just stunning.

Douthat said that even though people want to ignore it, even though they want to talk about it and blame the videographer—that he took things out of context—how can you take what is said and happened out of context and provide any rationale or justification for what is being done?

He said: But surely that is the moment when you start to ponder the possibility that an institution at the heart of respectable liberal society is actually dedicated to a practice that deserves to be called barbarism. That is a hard thing to accept, he said.

But, as difficult as that is, Douthat states that we must acknowledge that what is being discussed in these videos is human beings, and the nice, idealistic medical personnel at Planned Parenthood have spent their careers crushing, evacuating, and carving up that human life for parts to be sold on the market.

It is important that this body let Planned Parenthood know the American people do not support these inhumane practices. Congress should debate this issue. It should vote. It should vote soon. It should not leave here for our August recess until we send a clear message to Planned Parenthood that this is totally unacceptable, that the taxpayers of America will not fund with 1 cent of their tax dollars this barbaric practice, provided through an agency that pretends to be offering sound health care advice to pregnant mothers. Every Senator should have the opportunity to affirm that life is sacred and a precious gift, and it must be protected.

I yield the floor.

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

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

SUPREME COURT DECISIONS

Mr. GRASSLEY. Mr. President, I come to the floor to give my analysis of the last year of Supreme Court decisions. There is a misconception that our Supreme Court is conservative, but in the term that just ended, the Supreme Court upheld a key provision of ObamaCare. It read the plain language of that ObamaCare statute that provided that health insurance subsidies apply only to exchanges established by the States and said that they are available on exchanges created by the Federal Government.

It ruled that fair housing discrimination cases can be brought even where there is no intent to discriminate. A harmful impact, then, is enough to bring a case.

It found that same-sex marriages are constitutionally required.

It expanded the reach of the Pregnancy Discrimination Act and made it easier to win cases under that law.

The Court decided that racial gerrymandering cases under section 5 of the Voting Rights Act must consider the effect on individual districts regardless of minority voting in the State as a whole. The Court said as well that in those cases, courts must look beyond the numbers when deciding whether minority voters have been packed into districts to dilute their influence on elections.

In fact, the Court reflected a very liberal bent in the last term. More worrisome, its liberalism derives not from the Constitution but the policy preferences of the Justices. Application of longstanding political science models shows that this year's Supreme Court rulings were the most liberal since the Warren Court years of the 1960s. As a UCLA professor stated, "Shockingly, the Supreme Court may have been more liberal than the Obama Administration this term."

The liberal Justices and the conservative Justices on the Supreme Court judge differently, and that is what I want to show to my colleagues. The conservative Justices acted as umpires, for the most part. They considered the facts and the law and decided the cases as they understood the Constitution. The liberal Justices prevailed so frequently because Justice Kennedy, Chief Justice Roberts, and—at least one time—Justice Thomas each voted with the liberals in at least two close, significant cases. As a University of Michigan professor commented, "The chief justice really does take restraint seriously. At times, that is going to put a justice in contraposition to what his ideological preferences might be."

By contrast, looking at the other end of the spectrum, there are no close cases in which even a single liberal Justice voted with conservative Justices to make a majority. Only two of the major cases were decided 5 to 4 in a conservative direction.

The New York Times identified the 10 most important cases of the term. The Washington Post selected 13 cases.

Whichever list is consulted, liberal results predominated. In each of the cases, the four liberal Justices voted as a bloc for a—as you might expect—liberal result. I want to show why this isn't a coincidence. The liberal Justices act like players on the same team. Liberal Justices have actually admitted that they strategize in advance to vote as a bloc in support of liberal outcomes. Justice Ginsburg stated this last year: "We have made a concerted effort to speak with one voice in important cases." I fear that this attitude and the votes of these Justices give rise to an appearance that their loyalties are to each other and to their preferred principles and policies rather than to the Constitution. Certainly, it is easier to make cases come out the way you want than to carefully consider the facts, precedent, text, and the arguments of the parties before reaching a decision that might run counter to your preferred outcome. And for those Justices, it is easier to do so if you know you have four votes in your pocket before you begin the task.

We accept the important role the Supreme Court plays in our constitutional system. The Constitution trumps the inconsistent policy choices of the American people enacted through their elected representatives. That is what we call the rule of law. But when Justices strike down laws based not on the Constitution but on their own policy preferences, that is the rule of judges. The Court in that instance acts as a superlegislature. Those rulings should, therefore, be questioned. At my town meeting Saturday in Iowa, they were being questioned. The Justices' personal policy views are entitled to no more respect than the policy views of the American people.

When Supreme Court nominees come before the Judiciary Committee for confirmation, they know better than to say they will enforce their own views. They don't say the Constitution is a living document with a meaning that changes over time. They know they wouldn't be confirmed if that is what they said. Instead, they say the text controls or if the text is unclear, the structure and the original intent of the Founders govern. They say constitutional interpretation is not about politics or good policy; they tell us it is "law all the way down." But when they get on the bench, all bets seem to be off.

For instance, the text of the Constitution allows the government to deprive people of life if due process of law is provided. It makes references to capital—or death penalty—cases. It is therefore clear that the death penalty is constitutional. There may be some valid questions on when the death penalty would be legal. Nonetheless, last month Justice Breyer and another Justice wrote that they think it is very likely that the death penalty is unconstitutional in all cases—in other words, just throw out the words of the Constitution. That ought to be extremely

disturbing to all of us. It is essentially a revival of the Warren Court, where the Justices' personal views trump the Constitution.

The Court also ruled this year on same-sex marriage. I support traditional marriage, as a sizable percentage of the American people still do. However, I do respect people of different views. The Constitution says nothing about whether same-sex marriage is required. That is for the people to decide through the democratic process. When the Supreme Court ruled otherwise, that prompted a significant portion of the populace to believe that the Justices were reading their own view into the Constitution. The decision was based on a doctrine called "substantive due process." Substantive due process is really nothing more than an open invitation to Justices to read their own policy views into the Constitution.

This year, the Court ruled that the word "liberty" includes the right to define and express identity, individual autonomy, and dignity. Where do you find those words in the Constitution? In the past, the Court had narrowly construed substantive due process to protect only those rights established in light of objective history and their deep roots in society. The majority effectively then overturned those rules.

The Court now thinks the meaning of the clause does not turn on the text or the intentions of the Framers. Rather, the Court ruled that the meaning of due process changes as "we"—the Justices—apply, as they would say, "new insight" that derives from, in their words, a "better informed understanding of how constitutional imperatives define a liberty that remains urgent in our own era."

In the view of the slim majority, the role of the Court is to make, in their words, "new dimensions of freedom . . . apparent to new generations."

This is the language of the doctrine of the living Constitution. It is the Justices, then, amending the Constitution without Congress and the States voting to do so. It is another Earl Warren deciding cases by asking what is just and what is fair, and that is in his mind and not what the Constitution and the laws require.

It is not law at all, never mind "law all the way down."

While the decision permits those who hold the traditional view of marriage to discuss their views, it said nothing about the real constitutional right to freely exercise religion—with the emphasis upon "exercise."

Another of the Court's liberal decisions gave short shrift to another right protected by the Constitution: free speech. That decision treated as government speech what is actually private speech. It is an important distinction in the real world. Government must treat private speech neutrally. It cannot play favorites, but the government can discriminate against viewpoints it does not like when the speech is the government's speech. It can fund speech that discourages use of illegal

drugs, for instance, without funding speech that encourages drug use.

As a result of the First Amendment ruling, the government may be able to deny many kinds of government benefits to those who dare to express views with which the government disagrees. This then would be an ominous development for everyone.

Specifically, the government may be able to deny tax exemptions and charitable deductions based on the free expression of the groups involved. That would make a scandal such as the IRS's denial of tax-exempt status to organizations based on their presumptive conservative policy stands constitutionally permissible.

Substantive due process has been used for the last 50 years only to invent new liberal constitutional rights. Conservatives have not used substantive due process to invent new conservative constitutional rights. In creating new such rights, liberal Justices never are hesitant to overturn conservative precedents, but those same Justices consider the liberal substantive due process precedents to be sacrosanct under stare decisis. In other words, they are effectively saying "what is mine is mine and what is yours is negotiable."

Conservatives issue legal rulings that produce liberal policy effects, but liberal Justices will not issue legal rulings that are conservative. So as I am trying to show to my colleagues, each side plays by different rules.

Is it any wonder that so many people in this country think the game is not on the level? A recent CNN poll—a media organization that no one would say is rightwing—found that 37 percent of those surveyed think the Court is too liberal. Only 20 percent characterized it as being too conservative. I am concerned about how that backlash could manifest itself.

Even if Justices abuse their power of judicial review by substituting their policy views for the Constitution, we need judicial independence to safeguard the actual Constitution. We should not do anything to undermine judicial independence, but if the Court does not give the public the confidence that the meaning of "liberty" in the due process clause means something other than the policy preferences of five Justices, the consequences could be serious for our constitutional order.

The Supreme Court, similar to a river flooding its banks, is not staying within its proper channel. I strongly encourage all Justices of the Court to exercise the self-restraint the Constitution demands and that its Framers anticipated.

Ultimately, that will be the only way the courts will retain their necessary powers to preserve the Constitution.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. AYOTTE). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. INHOFE. 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. INHOFE. Madam President, while I would normally be coming down at this time to talk about the Transportation reauthorization bill, which is one of the most significant bills we will be considering—there are problems right now in getting it done before the House leaves, but we are going to make every effort to have it done by the end of this week. I think that is very important because, for all of the reasons we talked about, we can't continue to do part-time extensions that don't allow us to get to any of the real problems we have. However, that is not why I came to the floor this afternoon. I am here this afternoon to speak on a different topic.

(The remarks of Mr. INHOFE pertaining to the introduction of S. 1877 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. INHOFE. Madam President, I ask unanimous consent that Senators MCCAIN and ROUNDS be added as cosponsors to the S. 1877.

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

Mr. INHOFE. Madam President, right now we are in kind of a waiting period. We have made a request. It seems that request is being denied because it takes unanimous consent to come up with language that will allow us to waive time.

The time that is pending right now on the Inhofe amendment will not expire for 30 hours. Precloture will not expire until 5 a.m. tomorrow, so it looks like that will make it too late to get our bill passed prior to the time the House goes home.

This could always change. I think a lot of people are taking this position because they didn't think we would be able to pass the bill. I think we are going to pass it. I think we can pass it very likely on Thursday, and so even if the House is gone, we will be preparing to go in and handle that bill when we all come back after the recess.

I just want to mention this because I think it is very important for people to understand that we are going to be using this. We have gone through a lot of work on the bill.

The highway reauthorization bill was passed unanimously out of the committee I chaired, the Environment and Public Works Committee. Every Republican and Democrat voted for it. So it is one of the few bipartisan efforts to take place in a body that is often criticized for not getting anything done. This will be a major bill. It will become a reality.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Madam President, thank you. To the chair of the committee, congratulations, Mr. INHOFE,

on the progress made so far with regard to the highway bill, indicating that we will pass something on Thursday and send it over to the House. It is important we address this issue. It is important we put people back to work. We have crumbling roads and bridges.

I hope everybody in this Chamber agrees that we need a highway bill and, specifically, we need one as long-term as possible in order to give people predictability and certainty to be able to plan projects and to be able to deal with what is an increasing problem in our country, which is a lack of funds in infrastructure.

I hear it back home in Ohio. What I am hearing is: Give us certainty. Let us know what the plan is. Congress, in doing these short-term extensions, is not creating a plan.

If we end up with a short-term extension because the House and Senate can't agree, then I hope we will make a commitment when we do that to say: OK. After whatever that short-term period is—I have heard the rumor of 3 months—that at that point we will come up with a long-term proposal together.

I happen to think one way we could find a longer term proposal is to have international tax reform. We should do it anyway. We should do it whether or not the highway trust fund is connected to it. There are ways to reform the Tax Code so companies that are overseas, that have revenues overseas, that won't bring them back now because our tax rates are so high might be willing to bring them back at a lower rate. If they bring those funds back and are taxed on those funds, there might be an opportunity to provide some funding for long-term solutions to the highway trust fund, perhaps in conjunction with some of the other pay-fors that are part of the bill we are talking about. International tax reform is necessary in and of itself. I didn't come to the floor to talk about that, although tomorrow we do have a hearing in the Permanent Subcommittee on Investigations on this very issue.

I will tell my colleagues and those who are listening, if we do not reform our Tax Code, update our currently noncompetitive Tax Code, we are going to see more and more jobs and investment going overseas. It is that simple.

We already see it. Last year, in dollar terms, there were twice as many foreign acquisitions of U.S. companies than there were the year before. Think about that. These are big companies with big names. One name you might know is Burger King, another is Budweiser. Another one that is thinking about it is Monsanto. These are big companies.

A lot of companies have already decided they are not going to stay in the United States because our Tax Code is so bad. It puts them at such a disadvantage vis-à-vis their competitors around the world that they can't survive. They have to become foreign enti-

ties in order to be competitive. We have to fix that. It is Washington that is creating the problem. Many criticize these companies. I say if there is any blame to show, it is right here in Washington, DC, by allowing the Tax Code that was written in the 1960s to continue when every other one of our competitors around the world has reformed their tax codes and lowered their rates. This is something we can and should do. There is bipartisan consensus around this—maybe not in the details but in a framework.

Senator SCHUMER, on the other side of the aisle, and I put together a report on this recently. We spent 3 or 4 months working on this, but it is a combination of a lot of different hearings and projects that have been undertaken over the last several years on this. We know what we have to do. We know we have to go to a competitive international system that allows us to be able to say to our workers in America: We are going to give you the tools to compete and win. We are not going to allow you to continue to have to compete with one hand tied behind your back, which is what is happening right now. The beneficiaries of this would be the American economy but specifically the American worker.

The folks in the boardrooms are going to be fine one way or the other. When you have these foreign acquisitions of U.S. companies or you have these so-called inversions where companies go overseas, the major executives in the company do just fine. The stock usually goes up. What happens is you lose workforce, you lose jobs here in America, salaries don't go up—they stay flat—and that is who is taking the brunt of this. So we have to fix that system, and I think we can do it perhaps in the next few months as part of this highway trust fund. That would be, I hope, an incentive to do it. Again, we should do it anyway, even if there is no highway trust fund need for us to find additional sources of funding.

In the meantime, I applaud the chairman and others who included in the highway trust fund legislation we are currently looking at. This is the legislation the chairman says we are likely to vote on Thursday. Included in that are a couple of other provisions that are quite helpful.

The one I want to talk about is with regard to regulations and permitting. When you think about it, we are struggling to find enough money to put into the highway trust fund to extend it as long as possible, right? Everybody is concerned about the fact that we have roads and bridges and can't put enough people back to work. One solution to this is to go to the taxpayers and say: We need more funding from the Federal tax base to go into this. That is what is happening, frankly. Another one is to say is there a better way to build these roads and bridges to save money so every tax dollar goes further, so we are telling the American people we are not only funding infrastructure, but we are

doing it in the most cost-effective, efficient way. That is not happening now. One reason it is not happening now is because it is so darn hard to permit something, so hard to get the green light to go ahead and start construction on something.

I hear this all the time back home. I hear it with regard to commercial buildings, I hear it with regard to energy projects, and I hear it with regard to roads and bridges. You have so many hoops you have to go through, many of which are Federal, some of which are local, some of which are State—many of which are Federal, that it adds costs to the project. It adds delay to the project, and it makes it so you are always worried about a litigation risk because people can go back years after the project is completed and say: Aha. I am going to file a lawsuit because you didn't follow all of these Federal regulations and rules quite the way you should have. That adds cost that we should not be incurring.

Instead, as we pass this highway bill, we are going to pass something that is called permitting reform. The Federal permitting system is being reformed in this underlying bill. My colleagues ought to know about that. I am going to make a plea that regardless of what happens, whether it is a 6-year bill, which I think would be great, again adding predictability and certainty, or whether it is 3 years, which maybe we are going to pass on Thursday, or whether it is 3 months, which is what some are saying—the rumor is perhaps the House will send it back to the Senate—whatever the extension period is, let's include this legislation to make it easier to green-light a project to have America get back into the business of building things, not just roads and bridges—although it will help on this bill—but also other projects: energy projects, construction projects, commercial buildings, and so on.

Let me give you a really frightening statistic. There is a group that does an international assessment every year of all the countries in the world. It asks: How easy is it to do business in various countries? They compare the countries. One of the countries of course in the mix is us, the United States of America. You would hope we would be at the top of the list—the best place to invest—that we would be the country, since we are a capitalist free enterprise country where we value ingenuity and want to move forward with projects and get things done, that we would be at the top of the list. We are not. We are now No. 41 in the world in terms of the ease to get a construction permit to build something—No. 41 in the world.

Capital is global these days. It moves around the world, and certainly around the country, but around the world. So you go to a big city overseas, let's say London. You see all sorts of cranes. Why? Because actually in that city it is easier to build something than it is here in the United States. That is

crazy. We should have a system here in the United States where you have to go for the proper regulations, you have to be sure you are building something that is safe and environmentally sound, but that it is easy to do it. You can do it quickly. We are now 41st in the world.

This drives investment out of the United States and puts that investment in other countries. This is why this legislation is so important. Again, for the roads and bridges it is important, but also in general to put people back to work.

Here is something interesting about this legislation. We have worked on this for almost 4 years—about 3.5 years now. My cosponsor is CLAIRE MCCASKILL, who is a Democrat, so we have a Republican and a Democrat doing this together. Over time we have been able to build support, slowly but surely, to the point that we now have a good group of bipartisan cosponsors, pretty evenly balanced between Republicans and Democrats, but we also have some support from the outside that is unusually balanced.

We have the Chamber of Commerce supporting this in the business community. That might be expected. A lot of them are interested in how to build something and build it more quickly, but we also have the AFL-CIO building trades council strongly in support of this. I appreciate that. Because they get it. This is about work and specifically about construction jobs. A lot of those jobs went away during the financial crisis of 2007, 2008, and 2009. They have been slow to come back. Unemployment is still relatively high among construction workers. Frankly, a lot of them have moved on to something else because they have not had jobs.

The AFL-CIO building trades council and the business community are together on this. They are working with us together to ensure that we can get this done in the highway bill and to move forward with not just something that will help on roads and bridges, but it will help on all kinds of projects.

I heard about this in the context of energy. When I first got elected, a company came to me. It is called American Municipal Power, AMP. AMP does small energy projects all over our State and some other States. They came to me and said: You know, Rob, we have been trying to put a powerplant on the Ohio River. Now, you might think that normally would be a coal plant or a gas plant, or even a nuclear plant—there are all those along the Ohio River. They said: No, we are actually trying to put a hydro plant. The Ohio River is not a particularly natural place for hydro, you would not think, but it turns out there is a nice flow in the Ohio River. It is a big river.

They had this great idea at the locks of the Ohio River to add a municipal powerplant, hydroplant, but they said: We cannot get through all of these Federal hoops. There are up to 35 different Federal licenses and permits you now

have to get to do an energy project. Think about that. You have to get 35 different Federal licenses and permits in order to start construction and to move forward with an energy project.

That is what they found in the Ohio River. They came to me and said: What can you do to help? We started to look at it and figured out: My gosh. The right hand doesn't know what the left hand is doing. You have so many agencies involved, so many different interests involved, whether it is the Army Corps of Engineers, the USGS, whether it is EPA, whether it is again State and local regulations. I am just talking about the Federal side when I talk about the 35 permits and regulations.

What American Municipal Power wanted was to be able to get something done in a predictable way and have somebody be accountable. We liked that idea, so we moved forward with this legislation providing more accountability.

We also heard from Baard Energy. Baard had plans to build a \$6 billion synthetic fuels plant in Wellsville, OH. This was a coal-to-liquid plant that would not only convert coal into clean diesel and jet fuel, it would also have created, we were told, up to 2,500 jobs. This is in a part of Eastern Ohio where these jobs are so valuable, so precious.

They couldn't do it at the end of the day because the permitting delays and the lawsuits they got so interfered with the project that their capital left. It wasn't patient enough to wait around for all the delays, all the potential lawsuits, all the problems. So, again, from them we learned: Well, let's have accountability, one agency responsible, but also let's look at this issue of not just lack of accountability, but the fact that these lawsuits continue to slow these projects down and make it more difficult to move forward.

Our legislation addresses all of these issues. It does so in a very thoughtful and, I think, reasonable way, in a way that is common sense. We have got support on both sides of the aisle. First of all, it strengthens coordination and deadline setting. We talked about having some accountability. One agency is now accountable, so instead of agencies being able to go: Well, you know, we are fine, but how about this other agency? Not our fault, their fault, pointing fingers. Now you have got one agency that is in charge.

Deadline setting. This creates an interagency council to best identify what the best practices are, but also set deadlines for reviews. Right now with no deadlines, the things often go on and on and on, in approvals of important infrastructure projects.

It also strengthens cooperation between the State and local permitting authorities, another problem. As I said earlier, there are local and State issues as well, and we try to avoid duplication and the delay that comes from that.

Second, the legislation facilitates greater transparency and greater public participation in the permitting

process. It creates what we call an on-line dashboard where you can look at the dashboard—whether you are a company that is involved in this or whether you are a member of the public who is interested in this—you can look on that dashboard and see this is where the permit is. OK. It is at that agency. Well, why? You can see whether it has completed its review. And where are we on this?

It encourages not just the ability to track agency progress, which I think will have a very important effect—sunlight is the best disinfectant sometimes in bringing this out; making the transparency better is a good idea, but it also brings more input from stakeholders.

We also require in our legislation that the agencies accept comments from stakeholders early in the approval process. Why? Because another problem we found was that often the concerns come very late in the process, so you have an investment, you have workers working on this. All of a sudden a concern comes in, it stops everything, slows it down, and makes it very inefficient.

Instead we are saying: OK. Comments, they are very important, but let's accept those comments earlier in the process. Let's identify these important public concerns from the very start. Then finally, it institutes a set of litigation reforms that I think is very important. One I will mention, which I think is probably going to be surprising to a lot of people: Right now there is a statute of limitations on lawsuits that runs 6 years. This is after the environmental review, the NEPA review—6 years. Think about that. We limit that 6 years to 2 years. I would have liked to limit it even further to be frank.

In our original legislation we tried to limit it even further, but this again is a consensus-building project. We want to be sure we kept the bipartisan support, we kept support on the outside, including from groups like the Natural Resources Defense Council that have worked with us on this.

So we have accountability, transparency, litigation reforms, with the whole goal of saying: Let's take, in the case of these construction projects, the roads and bridges, the Federal dollars, and let's let them work in a more efficient way so every dollar goes further, so we can get these roads and bridges going, so we are not paying so much for delays and redtape, so we are not paying so much more for lawsuits, so we can actually get this thing moving. That is in this legislation.

I hope my colleagues who, like me, go back home and hear about regulatory reform and the need for us to streamline the process will strongly support this part of the legislation, even if they cannot support all of the legislation. I hope they will continue to push this Senate and the House of Representatives to pass this permitting reform legislation.

If we do that and it lands on the President's desk, I believe he will sign it. I believe that because we have worked with him closely and because frankly it will have such strong bipartisan support. It is the right thing to do. It enables us to say to the people we represent: You know what. We are not just asking for some more money for roads and bridges, which is important and will create more jobs and make our economy more efficient—we need to do that. The crumbling infrastructure is real.

It is also an opportunity for us to do it in a more efficient way. The President's job council, at the end of 2011, issued a report. You might remember that. President Obama selected Jeffrey Immelt, who is a very widely respected executive—GE CEO—to chair the jobs council. He came up with a bunch of recommendations, many of which I think were very constructive.

One was about this very issue. This is what they said. They said we ought to reform the permitting process because we should, as the President said, “do everything we can to make it easier for folks to bring products to market, and to start and expand new businesses, and to grow and hire new workers.” That was the President.

Sean McGarvey is the president of the North America's Building Trades Union. We talked about the AFL-CIO building trades union. This is what Sean McGarvey has said: “If there was ever an issue that could be considered a no-brainer for Congress, the Federal Permitting Improvement Act is it.”

I agree with Sean. This is a no-brainer. Let's get it done as part of the legislation we are going to pass this week. I believe we will pass it. If we do not pass the highway bill this week, let's ensure that we include the permitting reforms in whatever we do pass.

Again, whether it is a 3-month extension or a 6-year extension, we should be sure that we are removing unnecessary delays, bureaucratic hurdles, so that more Americans who are looking for a job can find a job, and so that tax dollars can go further. I want to thank CLAIRE MCCASKILL, the Senator from Missouri, who has been the cosponsor of this over the last few years. Sometimes it has not been easy working through this. She has taken some arrows, but it is the right thing to do. It is meaningful legislation that will actually help move our economy in the right direction and help us to be able to repair more of these roads and bridges because we will be doing it more efficiently.

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

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

Mr. CORKER. Mr. President, I rise today to speak about the highway bill. I understand there will be a cloture vote tomorrow and then potentially, if that is achieved, final passage the day after. I want to say again that I appreciate the efforts of so many in various areas, that my comments today are not intended to be directed at any individual or either side of the aisle.

I was elected in 2006 and I came in during 2007, so I have been here roughly 8½ years. One of the reasons I ran for office was to deal with our Nation's fiscal issues. I was so concerned about the direction in which our country was going. As you know, just about every military leader we have will tell you that the greatest threat to our Nation's national security is us, those of us here in Congress, and the way we deal with our fiscal issues.

The simplest fiscal issue I know of to solve is the highway bill because it is simple math. It is not like Medicare, where all these actuarial issues have to be dealt with and you have to make assumptions about the impact on care and all those kinds of things. The highway bill is just simple math. It is so easy. There is money that comes in and there is money that goes out.

I think everybody in this body knows the highway bill was set up based on a user fee program where people who are using the highways pay for that through user fees and then the money would be there in a trust fund—a real trust fund—where, in fact, the money would go out. So we would have a system in our country where we would pay for our highways and other infrastructure in that regard. As a matter of fact, the State of Tennessee has zero road debt because that is exactly the way they handle their State portion.

I know a lot has been said about this Presidential race and what is driving some of the interesting anomalies that are occurring right now. People are saying: Well, certain candidates are receiving a lot of attention because of the anger people in America have toward Washington. I would just say that this bill—this is an outline of it—should be exhibit A as to why people in America are angry at Washington. Both sides of the aisle, both ends of the Capitol, this is exhibit A.

Again, I understand this was a combined effort with lots of people, but let me point out a few things.

No. 1, we have had five general fund transfers—in other words, taking money out of our general fund and sending it over to the highway trust fund. That has totaled \$60 billion since 2008.

We have these wonderful young interns who come up here to learn about Washington. They come up here to experience Washington. They have read in their history books and other places—in civics—about this being the greatest deliberative body in the world. I would think that in most cases they probably look up to people here on the floor. Some of them may aspire to

someday actually serve in the Senate. But what they are going to be witnessing should this bill become law is 100 folks in this room—not all of them but a number of people in this room—voting to basically steal money from them.

They are stealing money from you so that all of us can look good to our constituents and pass a highway bill. So we are going to steal money from you so that we don't have to deal with this issue. It is called generational theft.

So to the pages and to the people you have been working with for so long, just know—and I don't know any other way to describe this. Let me explain. This is a 3-year bill we are going to pay for over 10 years. One hundred percent of the spending, in other words, takes place between the years 2016 and 2018—100 percent of the spending—but 69 percent of the offsets, the money coming in, actually comes in—you heard me say 2016 to 2018—between 2022 and 2025. So that would be like your mother or father going to the grocery store and buying groceries and saying: Well, I am not going to pay for this today; I will pay for this in 7 or 8 or 9 years down the road. Every time they went to the grocery store, they did that. You can imagine how your household finances would operate if that is what they did. If this bill becomes law, that is what the people in this body will be doing to you. It is generational theft.

We use these tricky accounting rules around here where if we pay for something over 10 years even though we spend the money in 1 year, we count that, believe it or not, as paid for.

It is even worse on something like a highway trust bill. See, this is something where money is supposed to come in at the same rate money is going out. You can expect some aberrations on when money comes in and when money goes out on other kinds of programs—you can expect that—but not on the highway trust fund.

This is the kind of math, by the way, each of you probably knew about in the third or fourth grade, where you could figure out how much money is coming in and how much money is going out. But on both sides of the Capitol and on both sides of the aisle, since 2008, instead of dealing with this issue—which, by the way, means you have to make some tough choices. You could spend less money in the trust fund. That would be a way to make it add up. You could devolve some of the responsibilities back to States. By the way, so many roads are now becoming roads the Federal system pays for, there might be a good argument for that. There is a good argument for that. Or you could just increase revenues and make sure those who are driving on the roads in our country today pay more to do it. But that is not what is going to happen. We are going to pull a trick on the American people. And here I get back to that anger issue and the reason so many people are upset with Washington. Again, this is exhibit A.

As a matter of fact, only 9 percent of the money coming in over this 10-year period comes in during the period of time we are spending on the highway bill. Can you believe that? Yet we say it is paid for.

Let me tell you what else we are doing. This is fascinating to me. Congress, in its brilliance, has created a system where only Fannie and Freddie—remember the two behemoths that had \$5 trillion in housing mortgages in our country, the big giants that failed back in 2008? What we have done in this bill—I am not going to do it, but if people vote for this bill, what they will be agreeing to do is to extend the guarantee fee on mortgages out, by the way, the last couple of years of this bill, so, again, money comes in way beyond the time we spend it.

So let's say you guys go to college. I know many of you will. When you get out, you decide to buy a home. Let me tell you how we, in our wisdom, have decided to pay for our highways. We are going to make you pay more for your mortgage. You are not going to know that, by the way; we are going to hide it in your mortgage.

See, we want to make sure the American people don't really know how we are paying for these things. We try to hide these things from folks so that when we run for reelection, we don't create any ire amongst the public.

This one is hard for me to believe. Now, I can understand some people in this body supporting this, those who support Fannie and Freddie continuing on forever, because what we are really doing is now the Federal Government, in order to pay for our roads, is relying on Fannie and Freddie. So how could you do away with them? Think about it.

We have had so many people in this body talk big about winding down Fannie and Freddie and about how they are a threat to our Nation. I have actually written a bill to try to deal with that and had a lot of support from people on both sides of the aisle. We all talk big, but let me tell you what we are going to do. To pay for the highways, we are going to continue the policy of making sure that every time somebody gets a mortgage, they pay a little more for that mortgage—the entire time, by the way, that mortgage is in place. That generates about \$2 billion. Of course, the American people won't know or see that, and so that, of course, makes it very popular.

Let me talk about another one. This is fascinating to me. The Federal Reserve System has been paying a dividend to member banks that invest in their regional Feds. Since 1930, that dividend rate has been 6 percent. I don't know if that is the right number.

By the way, some people are confusing this with a monetary policy issue, which is the amount that is being paid on the reserve. That is not what this is. This is something which has been in place since the 1930s. We never had a hearing on it, by the way,

and I have no idea what we should be paying, OK? I have no idea. But just out of the blue, to generate \$17 billion—without a hearing; never been a hearing; as a matter of fact, I would say most people in this body have never heard of this issue—to pay for our roads and again make sure we stay in great stead with our constituents back home so we don't have to make any tough choices, we are going to change that from 6 to 1.5 percent. That generates \$17 billion. But, again, it keeps us from having to deal with this issue head on. By the way, a lot of that money comes in way beyond the period of time we are spending the money on the roadways.

This is the one that gets me. I love this one. I love this one. We are going to sell 101 million barrels of oil from something called the Strategic Petroleum Reserve from 2018 to 2025. We have a big Strategic Petroleum Reserve, which is in our national security interests. As a matter of fact, I would say that if President Obama were to propose this particular pay-for, most everyone on our side of the aisle would just raise unbelievable—I need to choose my words—would be very upset. It would be dead on arrival because what it does is it weakens our national security.

We have the Strategic Petroleum Reserve. In a time of crisis, we want to make sure the people in America have access to this Strategic Petroleum Reserve.

This is so grave. We are generating \$9 billion, by the way, in the years 2018 through 2025—again, beyond the time of even paying for this highway measure. So again, it is generational theft—selling assets down the road to pay for things today. It generates \$9 billion, and half of the sales occur in 2024 and 2025. So it is kicking the can down the road.

For America, please, please, be upset about this. Please, please, be angry about this.

Let me tell you what we are doing. We all make investments and pay attention to the markets a little bit. We hope we can save some money. Oil is selling today at under \$50 a barrel. But let me tell you at what we have decided we are going to sell this oil. We are just going to make it up—at \$89 a barrel. Think about that.

Congress in its wisdom has decided we are going to sell 101 million barrels of oil. We are so bright and we can anticipate the future so well that we know, by golly, that when we sell this oil between 2018 and 2025, it is going to be at \$89 a barrel, even though it is under \$50 a barrel today. But we know that because we represent America. We have been elected to the Senate.

So that is how we are generating it. By the way, if during that period of time oil happens to be selling at \$74 a barrel, we break even. If it sells for anything under that, it is less. But by the way, there is \$9 billion of made-up money just because we have decided

that is what the price of oil is going to be at that time.

I just have to say that this is one of the most irresponsible pieces of legislation I have seen come this far in the Senate. Let me say this one more time. This has to be one of the most irresponsible pieces of legislation that I have seen make it this far in the Senate.

I am very disappointed with where we are. I am not directing that at anybody. People on both sides of the aisle are involved in getting it where it is today. People on both sides of the building have used these types of gimmicks and tricks to basically involve ourselves in abject generational theft, keeping us from making tough decisions today. They are not even tough, to be honest—just using our God-given common sense, the same thing that most Americans get up every day and have to deal with.

I have been so uplifted in my home State and by my home town of Chattanooga to watch how ordinary citizens with huge patriotism and large amounts of common sense have dealt with the tremendous tragedy in our hometown. I have just been overwhelmed by it. I wish all of America could see the response of people who wake up every day carrying out their ordinary duties, husbands and wives and sons and daughters. They care about our Nation. They care about its future. They care about our military. They care about people who protect us. I wish that somehow people could see that. I know people see it in all of their hometowns around the country. I know people see this greatness. Yet in this bill, I don't see any common sense. How could we pay for our highways utilizing this type of pay-for?

So I rise to say that I don't support this piece of legislation. I think that has been made clear. I hope that as people analyze the pay-fors—which, again, in my opinion could not be more ridiculous on something like a highway bill—this bill will go down, and we will figure out a way to deal with this in a more productive way. Again, the right way to deal with this, if you have a trust fund, is to have fees that come in and the same amount that go out.

I think in this minor conversation here, these pages probably get that. I think America gets that. I hope, again, this bill does not pass. I hope it does not become law, and I hope we can gather and figure out another way of dealing with this in a responsible way that doesn't use gimmicks, as this certainly uses.

I don't know how anybody could say: By the way, the Senate has assumed that in the years 2024 and 2025, oil will sell at \$89 a barrel. Now, if the Senate was that good at giving financial advice—certainly, if we look at our balance sheets and the deficits we have been running, people would know that is anything but the truth.

The fact is that this bill should not become law and should not be sup-

ported. I intend to vote against it. I intend to encourage others to vote against it. I hope that at some point in my tenure here we will actually begin to deal with our fiscal issues head on, in a direct way that solves them for the long term and really doesn't sweep them under the rug for this generation, unfortunately, to have to clean up our mess.

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

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

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, in poll after poll, the American people have told this Congress that it is time to wake up to the ever-growing threat from carbon pollution. Two-thirds of Americans support the Environmental Protection Agency's Clean Power Plan to cut emissions from powerplants and invest in energy efficiency and renewable energy. Even a majority of Republicans support action to reduce carbon pollution. But we do nothing.

So here I am again, for the 108th time, for a speech of which the Presiding Officer has become something of a frequent flyer, to urge that we listen to our constituents and do the job that we were sent here to do.

Sadly, Congress is stuck in the grip of the big polluters and their unlimited, unreported campaign spending. After the dreadful Citizens United Supreme Court decision of 2010, two things happened. One, corporate political spending poured into secretive unaccountable groups that now wield untold influence in our elections. Two, Republicans—particularly Republican voices in Congress—fell silent on carbon pollution and climate change. It was a stopper.

So despite the wishes of the American people and despite an overwhelming scientific consensus, the majority in the Senate has no plan whatsoever to address the catastrophic changes we see in our oceans and our atmosphere, in our farms and our forests.

Many of the Republican candidates for President, for fear of offending their fossil fuel billionaire donors, ignore not only the clear tide of public opinion and not only the warnings of our scientific and national security officials but ignore the climate disruptions in their own home States. They ignore the homegrown climate research of their own State's scientists and universities.

Earlier this year I came to the floor with my colleague and friend, Senator BALDWIN of Wisconsin, to consider the effects of carbon pollution in her Badger State. Senator BALDWIN is a fierce defender of Wisconsin families and

businesses and is fighting to protect Wisconsin's climate, from the Great Lakes to the legendary dairy farms.

Wisconsin Governor Scott Walker, on the other hand, has gone another way. He has gone right down the fossil fuel industry rabbit hole. He pulled the plug on scientific and environmental functions in State government and he attacks environmental programs in the Federal Government.

Let's look at the facts in Wisconsin. According to the scientists at the University of Wisconsin-Madison, weather stations around Wisconsin measure that average temperatures in Wisconsin increased by about 1.1 degrees Fahrenheit between 1950 and 2006. During the same period, Wisconsin got wetter as well as warmer. Annual average precipitation in Wisconsin increased by almost 3 inches—again, measured.

As more and more carbon pollution piles up in the atmosphere, researchers at the University of Wisconsin-Madison estimate and project that by midcentury Wisconsin could warm by 4 to 9 degrees Fahrenheit. By the end of the century, the climate in Wisconsin may look more like that of present-day Missouri or Oklahoma, raising the prospect of dramatic shifts in the Wisconsin economy and way of life.

These changes would not be kind to Wisconsin's iconic badger. The Upper Midwest and Great Lakes Landscape Conservation Cooperative lists the Wisconsin badger as one of the region's species at risk from climate change. It has no apparent effect on Governor Walker, however.

There was the Wisconsin Initiative on Climate Change Impacts. The Wisconsin Initiative on Climate Change Impacts was formed in 2007 by the Wisconsin Department of Natural Resources and the University of Wisconsin Nelson Institute for Environmental Studies. The scientists and public officials in this program are studying how climate change will affect Wisconsin's wildlife, water resources, and public health, and important Wisconsin industries such as forestry, agriculture, and shipping and tourism on the Great Lakes.

Climate change threatens pillars of the Wisconsin economy. The initiative's agricultural working group reports that higher summer temperatures and increasing drought will create significant stress on livestock, even touching Wisconsin's famed cheese industry. Victor Cabrera, an assistant professor in the University of Wisconsin-Madison Dairy Science Department, says that this heat stress interferes with both fertility and milk production. Dairy cows could give as much as 10 percent less milk. Professor Cabrera in Wisconsin is not alone. He is not alone. The U.S. Department of Agriculture predicts that by 2030 climate change will cost the U.S. dairy sector between \$79 million and \$199 million per year in lost production. Does Governor Walker care? Apparently not, but

the University of Wisconsin does. So it is leading a USDA-funded effort to identify practices that minimize greenhouse gases from milk production and make dairies more resilient to Wisconsin's changing climate. Some Wisconsin dairy farmers, for instance, are burning excess methane in enormous manure digesters to generate their own renewable electricity.

It is not just the farmers. Wisconsin has sportsmen. Wisconsin's sportsmen treasure Wisconsin's 10,000 miles of trout streams—some of the best trout fishing in the country. Trout Unlimited found that fishing in the Driftless Area of southwest Wisconsin and parts of Illinois, Minnesota, and Iowa adds over \$1 billion per year to the surrounding economy. But the cold-water fish such as the brook trout are highly sensitive to temperature increases in streams.

Under the worst cases analyzed by the researchers at the University of Wisconsin-Madison and the Wisconsin Department of Natural Resources, "brook trout are projected to be completely lost from Wisconsin streams." Even the best case scenarios see losses of as much as 44 percent of the Wisconsin brookies' current range by midcentury. That is Wisconsin's own Department of Natural Resources. Other cold water species such as the brown trout are not much better off than the brookies.

The Wisconsin Department of Natural Resources is not alone. It is not alone. The American Fly Fishing Trade Association said this in a recent public statement:

Climate change is no longer a potential threat; it demands our attention now. . . . We call on our elected officials to put partisan politics aside and work quickly to enact federal policy to address the threats presented by global climate change.

On to Wisconsin's loggers, Wisconsin has a significant logging industry, and the loggers are having trouble getting to the timber when hard, frozen winter ground becomes too thawed and too soggy to hold up logging equipment. According to a study out of the University of Wisconsin, that frozen period for loggers to work has decreased by 2 to 3 weeks since 1948, shortening the working window for loggers before their gear bogs down.

In every corner of the State, Wisconsin's own scientists are seeing dramatic climate changes. Wisconsin's businesses and communities are already taking a hard hit. How does their Governor respond? You can probably see this coming: "I am not a scientist"—the classic denier dodge.

Governor Walker, we know you are not a scientist, but it is OK because you have some of the top scientists right there at your own University of Wisconsin. You have teams of scientists working for you at your State agencies right in Wisconsin.

But do we expect that Scott Walker will listen to a scientist? No. No. He has a different plan—to eliminate more

than 60 positions at the Wisconsin Department of Natural Resources, including dozens of scientific staff. That is one way to not have to listen to them.

Whom does Scott Walker listen to? Well, the Koch Brothers political network has said it plans on spending \$900 million in the 2016 election cycle—\$900 million. The President of one of the biggest Koch Brothers-backed organizations, Tim Phillips of a group called Americans for Prosperity, has threatened publicly that any Republican candidate in the 2016 Presidential campaign who supported climate action "would be at a severe disadvantage in the Republican nomination process." So they are going to throw \$900 million at the election, and they have a "severe disadvantage" threat floating around. Nice little campaign you got here; be a shame if it was severely disadvantaged.

Well, it did not take Governor Walker long to sign that same Americans for Prosperity organization's no climate tax pledge—what do you know—vowing to oppose any legislation on climate change without an equivalent amount of tax cuts. It is amazing what waving around \$900 million will do.

Whom else does Scott Walker listen to? Well, the majority leader recently called on all Governors to rebel against the EPA's Clean Power Plan. So far, only six took up the majority leader's call. One of them is—guess who—Scott Walker. In December he wrote to the EPA that their plan would be "a blow to Wisconsin residents and business owners." In January he announced that he was planning to sue the Agency instead.

Maybe Governor Walker would think differently if he listened to Wisconsin's business owners. Lori Compas, executive director of the Wisconsin Business Alliance, endorsed the EPA's Clean Power Plan proposal as a boon, a benefit to the Wisconsin economy. Here is what she said:

Encouraging renewable energy development will result in business growth, job creation, cleaner air, and a quicker path to energy independence.

That is what she wrote.

I will continue. She said:

Our society does not have to decide whether our policies should favor jobs or the environment. We should look for opportunities for us to promote jobs and the environment and the Clean Power Plan is a great way to do that.

That is the Wisconsin Business Alliance speaking. Those Wisconsin businesses are not alone. They are not alone. Yesterday 13 of the largest corporations in America joined in President Obama's American Business Act on Climate Pledge, committing to reduce greenhouse gas emissions, invest in renewable energy sources, and promote sustainable practices across their respective markets and up their supply chains. These are some pretty big-time nameplate Americans companies: Alcoa, Apple, Bank of America, Berkshire Hathaway Energy, Cargill, Coca-

Cola, General Motors, Goldman Sachs, Google, Microsoft, PepsiCo, UPS, and Walmart. That is a pretty broad spectrum of America's corporate hierarchy. Is it the Republican majority's position that they are all also in on the hoax?

The Republican majority has accused NASA's scientists, whose just flew a craft by Pluto and who are driving a rover around on the surface of Mars, of being in on a hoax; that climate change is a hoax and that NASA scientists are in on it. Is Walmart in on the hoax too? Do the Senators from Arkansas want to go home and tell the Walmart executives that they are in on a hoax? Do the Senators from Georgia want to go home and tell the CEO of Coca-Cola that they are in on a hoax? I don't think so. It is an untenable argument.

We have to move on. These leaders of American commerce declare, in a voice that Republicans should listen to:

We recognize that delaying action on climate change will be costly in economic and human terms, while accelerating the transition to a low-carbon economy will produce multiple benefits with regard to sustainable economic growth, public health, resilience to natural disasters and the health of the global environment.

That is quite a crowd who signed off on that statement. More will come because other companies, such as VF Industries and Mars and Unilever, agree with them.

Our good Earth is sending us a clear message. The message our good Earth is sending us is that carbon pollution is driving unprecedented change. It is showing the change happening in the Earth around us. Voters too are sending us a clear message. They are speaking up to say that climate change is a problem and they want their leaders to take action and that it is time we got our heads out of the sand.

Unfortunately, there is a problem. The big polluters have a powerful political megaphone. They do not hesitate to use it. They back it up with big, dark money campaign spending that is distorting our democracy in disgraceful ways.

The result is that, like so many Republican candidates for the Presidency, Scott Walker of Wisconsin has no plan, will not listen to his home State scientists at his home State university, and ignores what his loggers and trout fishermen and businesses are all seeing and saying. But, oh my, does he listen to the big polluters.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

MORNING BUSINESS

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate be in a period of morning business,