

everybody agreed with it. Yet because of the far right, the tea party—we used to call them the John Birch Society when they opposed Medicare and now they are called the tea party when they oppose the Affordable Care Act—has decided this Export-Import Bank, which helps businesses and companies, particularly small companies in Dayton, Toledo, Cleveland, Charlotte, Asheville, and Durham—helps small businesses export their products. They need some help sometimes.

Every other country in the world—every other major country, we think, has some kind of an export financing agency such as this, but we are not able, for political reasons, call it crony capitalism—the tea party weighed in and convinced a lot of Senate and House Republicans that it is not such a good idea. Right now the Ex-Im Bank is in this bill. Hopefully it will stay in over the process. I am hopeful. Because the Speaker used a four-letter word to describe this bill, I am hopeful when we get a short-term extension—I hate clichés but this is such a good one—when we kick this can down the road again for another 2 or 3 months, whatever it is going to be, I am hopeful the majority leader and the Speaker will include the Export-Import Bank reauthorization and make it long term, but it is not clear if they will.

I want to also point out that Chairman SHELBY, the chairman of my committee in banking, with whom I have a good relationship, included a number of proposals for transit policy that I think make good sense.

The mass transit account was created in 1983 under President Reagan. It was done right. Public transit has always received around 20 percent, sometimes a little more, of any new revenue that is dedicated to growth. We have a tradition in this country that for every \$100 we are spending on the Transportation bill, \$20 of that goes to small bus systems in Lorain, OH, it goes to RTA for trains and rail in Cleveland, it goes to major transit systems in New York or anywhere around the country. This bill initially was less than 20 percent. I appreciate Chairman SHELBY and the majority leader getting it back up to 20 percent.

There is a new program for competitive bus grants. It is underfunded at \$190 million a year. This bill increases the amount of American-made steel and other components. That is a good thing.

With all my criticism on this bill in the way it was handled by the leadership in this House, there are some good things in this bill. I hope the Senate will move forward after today with a desire to revive the bipartisan process based on regular order when we address transportation issues.

I stand ready to work with my colleagues in both parties to deliver a robust 6-year transportation bill.

I yield the floor.

#### FOIA PROVISIONS

Mr. LEAHY. Mr. President, I ask unanimous consent to engage in a colloquy with Senator THUNE, chairman of the commerce committee, regarding the DRIVE Act and the Freedom of Information Act, FOIA.

I want to thank Chairman THUNE for working with me to remove four provisions in the DRIVE Act aimed at carving out information from disclosure under FOIA, three of which were in titles of the bill falling under the commerce committee's jurisdiction. The removal of these four provisions is reflected in the second-degree amendment filed by Senator INHOFE, amendment No. 2533, to the McConnell substitute amendment. FOIA is our Nation's premier open government law and the foundation on which all our sunshine and transparency policies rest. It remains an indispensable tool for Americans to obtain information affecting public policy, consumer safety, the environment, and public health. The Freedom of Information Act falls under the exclusive jurisdiction of the Senate Judiciary Committee, and changes affecting this law should not be enacted without full and careful consideration by the Judiciary Committee.

Mr. THUNE. I thank Senator LEAHY for his interest in these matters, and I am pleased we were able to work out an agreement to strike these provisions and move forward with consideration of the DRIVE Act. I look forward to working with you and Senator GRASSLEY, the chairman of the Judiciary Committee, on any future proposals to amend the Freedom of Information Act.

Mr. LEAHY. I also want to draw particular attention to Section 32003, related to the Federal Motor Carrier Safety Administration's, FMCSA's, compliance, safety, and accountability system, CSA. The CSA system is designed to evaluate the safety and compliance performance of motor carriers by using data from inspections, crashes, compliance reviews, and the Federal motor carrier census to come up with a safety measurement system, SMS, score for each motor carrier in seven behavior analysis and safety improvement categories, BASICS. It is my understanding that these scores are currently available to the public via FMCSA's Web site. It is also my understanding that, as originally drafted, this bill would have prohibited FMCSA from making these scores available to the general public via its Web site or via a FOIA request while FMCSA evaluates and reforms the methodology underlying these scores.

I have serious concerns about removing this information from public view, even for a short period of time. The safety score is one of the tools we give consumers and other stakeholders to help fully evaluate motor carriers. While I prefer that these scores remain easily accessible on FMCSA's Web site for the general public while the meth-

odology is reviewed, it is critical that the scores remain available under FOIA. Even if the scores are removed from the Web site while the methodology is reviewed, under the provision, they will remain available to law enforcement and regulators for use in overseeing the industry. For this reason alone, as well as many others, we should not withhold that information from public scrutiny. Moreover, the Judiciary Committee did not review this new proposed exemption and has not had time to fully consider the potential effects of this exclusion.

I thank Senator THUNE for working with me to remove this FOIA exemption. Originally the bill language stated that none of the score information "may be made available to the general public (including through requests under Section 552 of title 5, United States Code [the FOIA statute])." The Inhofe second degree amendment strikes the phrase "including through requests under Section 552 of title 5, United States Code" in its entirety. Under the OPEN FOIA Act of 2009, no new FOIA exemption under 5 U.S.C 552(b)(3), is effective unless it specifically cites to 5 U.S.C 552(b)(3). Removing the citation to the FOIA statute makes clear that, while the scores may no longer be routinely published and easily accessible to the general public via FMCSA's Web site until they have been reviewed and reformed, the scores are still subject to disclosure pursuant to a FOIA request, unless an existing exemption is found to apply.

Mr. THUNE. For the reasons you stated, I agree that if enacted into law, nothing in Section 32003 exempts or is intended to exempt information under the Freedom of Information Act. I would, however, just offer two comments to explain to my colleague the rationale for and limits of the modified provision. First, the commerce committee has received information from several objective sources, including the Government Accountability Office, the Department of Transportation's Office of Inspector General, and the law enforcement community, identifying concerns with the accuracy of the scoring analysis performed by FMCSA as part of the CSA program. As noted by GAO, the manner in which scores are calculated under the program "creates the likelihood that many SMS scores do not represent an accurate or precise safety assessment for a carrier." Accordingly, the bill proposes to withdraw this potentially misleading analysis from public review temporarily, until the program is reviewed and corrected. Nevertheless, as underscored by subsection 32003(c), the underlying "[i]nspection and violation information" submitted to FMCSA under the program "shall remain available for public viewing."

The PRESIDING OFFICER. The majority leader.

## MORNING BUSINESS

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

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

RECOGNIZING THE 100TH BIRTHDAY OF GERTRUDE SILVIA RUDIAK

Mr. REID. Mr. President, I rise today to acknowledge the 100th birthday of an incredible Nevadan, Gertrude Silvia Rudiak. For more than 70 years, Gertrude has been a leader in southern Nevada and has remained committed to her family, community, and faith.

Nearly a century ago, on August 2, 1915, Gertrude was born to Jewish immigrant parents in Dickinson, ND. As a child, her family moved from place to place across the country, but it was her parents' understanding of the value of higher education that brought them to the west coast. In California, she attended the University of California, Berkeley, where she received her bachelor's degree in music. Later, Gertrude built upon her skill set and earned credentials from the Business College of Oakland in office procedure. With undeniable tenacity and the knowledge she gained, she was able to work through the Great Depression.

In 1942, Gertrude met the love of her life, George Rudiak, and they married in September the same year. George was born in Moscow, Russia, and the experiences he and his family endured as they immigrated to the United States greatly shaped the man he became and the civil work he pursued later in his life.

George had received a law degree from the Boalt Hall School of Jurisprudence at the University of California, Berkeley, in 1940, but finding a job was a challenge. He was able to do some work for the State of California and the U.S. Employment Services; and in the midst of World War II, George enlisted in the U.S. Army Air Corps. The first place he was assigned was the Western Flying Training Command at Santa Ana. George was later transferred to the Las Vegas Gunnery School, which is now Nellis Air Force Base. Though the young couple was only stationed in Las Vegas for a short time, they fell in love with the city and moved back to plant their roots in the desert sand as soon as George was honorably discharged in 1946.

The Las Vegas of the 1940s was quite different from the Las Vegas of today. Approximately 21,000 people called the city home, and there was racial segregation. Some even referred to Las Vegas as the "Mississippi of the West." As the first city attorney of North Las Vegas, a Nevada Legislator, and chairman of the Nevada Equal Rights Commission, George was committed to bringing equality to Nevada. Gertrude

supported his efforts; and for more than 70 years, has made civic, religious, and humanitarian contributions of her own that have shaped our community. Today, all Las Vegans benefit from the compassionate work of Gertrude and George to make our community a better and more just place.

George Rudiak was a lawyer's lawyer. He was the lawyer we all looked to as the gold standard for an ethical, competent, experienced trial lawyer.

There are truly selfless people in the world, and Gertrude is one of these people. She is dedicated to her five children, their children, and their children's children and still finds time to improve her community. Over the past seven decades, she has filled traditionally male-held positions on community boards, including becoming the first female to serve on the board of Temple Beth Shalom, and has been a champion of secular and Jewish education in Las Vegas and Israel. Her efforts have been recognized by the Jewish National Fund, the United Jewish Appeal, and the Anti-Defamation League. Additionally, Mayor Carolyn Goodman presented Gertrude with the rare honor of a key to the city of Las Vegas in 2014. On more than one occasion, the city has declared August 2, Gertrude's birthday, Gertrude Rudiak Day in recognition of her long-standing commitment to Las Vegas.

I am grateful for Gertrude's contributions to our State, and I wish her a happy 100th birthday. May this year bring Gertrude and her family much health and happiness.

50TH ANNIVERSARY OF MEDICARE AND MEDICAID

Mr. DURBIN. Mr. President, in 1965, millions of Americans and nearly half the country's seniors couldn't afford basic health care. But that began to change 50 years ago today. President Lyndon Johnson signed into law the Medicare program for the elderly and the Medicaid program for low-income adults, children, pregnant women, and people with disabilities.

Although it was signed by President Johnson, it "started with the man from Independence," . . . Harry S. Truman. In 1949, Truman became the first President to publically support a national health insurance program and sent a bill to Congress that would give health insurance to everyone age 65 and older. Critics called the idea "socialized medicine," and the effort failed.

Sixteen years later, President Johnson believed "the times had caught up with the idea." And he was right. Today, 46 million older adults and 9 million people with disabilities depend on Medicare for health care and economic security. In Illinois, 1.9 million people are enrolled in Medicare.

And because of the Affordable Care Act, the program has grown stronger. The Medicare Part A trust fund is now expected to be solvent for an additional 13 years because of the Affordable Care

Act. The Affordable Care Act is also helping seniors with the cost of their prescription drugs. Since the passage of the ACA, people with Medicare in Illinois have saved over \$554 million on prescription drugs, because we closed the donut hole. That is an average savings of \$925 for each Illinois senior. The Affordable Care Act also expanded Medicare coverage of certain preventive services, such as mammograms or colonoscopies, without any cost sharing.

Let's not forget this is also the 50th Anniversary of Medicaid. Medicaid has been a lifeline for millions of people, especially children. My friends on the other side of the aisle find it easy to discredit a government program, but this isn't about a program. It is about the people who benefit from them.

Over 54 million people benefit from Medicaid. Before the Affordable Care Act, two out of three people on Medicaid were pregnant women and children. That is 36 million of our most vulnerable citizens. Medicaid also serves people with disabilities, including many low-income Americans with disabilities who would have nowhere else to turn.

Before the Affordable Care Act, almost 3 million people were covered by Medicaid in Illinois and more than half of all births were covered by Medicaid. Now, anyone living below 133 percent of poverty can join Medicaid. That's a single person earning less than \$15,654 a year, or a family of three bringing in \$26,720. And for this population, the Federal Government picks up 100% of the cost. Because of the Affordable Care Act, more than 570,000 people in Illinois are now covered by Medicaid. I call that a success.

Just ask Christopher Greenwood if this law is making a difference. Christopher Greenwood is a community health and prevention coordinator for the City of Rockford working to help people sign up for health insurance. He helped a 50-year-old woman enroll in Medicaid, and she was excited to have coverage for preventive services like a mammogram.

According to Christopher:

People aren't realizing the benefits of the Affordable Care Act. It's all about prevention services. When we tell people they need to sign up, they think they don't need it. But when we start telling them the benefits, to see the looks on their faces, it's all really cool.

You know who else benefits from Medicaid? Providers, hospitals and doctors. Ask a provider back home: What would you prefer? Reimbursement by Medicaid or not be paid at all? The answer is obvious.

Medicare and Medicaid save lives. The programs provide high quality health care to millions of people. Yes, we owe something to Truman for this idea. We owe something to Johnson for signing it into law. And today, we should focus on further strengthening these programs so they can serve future generations.