

We also need to reauthorize the Export-Import Bank. It is closed. Republicans made a terrible mistake by allowing the Bank's charter to expire, jeopardizing hundreds of thousands of American jobs. Congress must also craft a long-term highway bill to ensure the highway trust fund will be solvent for years to come.

We have a lot to do in the coming weeks and months, and we certainly don't have time for any more manufactured crises. So I sincerely hope the Republican leadership will instead choose to do what is right to meet our country's obligations.

Would the Chair tell us what we are going to do the rest of the day.

#### RESERVATION OF LEADER TIME

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

#### TSA OFFICE OF INSPECTION ACCOUNTABILITY ACT OF 2015

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the House message to accompany H.R. 719, which the clerk will report.

The legislative clerk read as follows:

House message to accompany H.R. 719, an act to require the Transportation Security Administration to conform to existing Federal law and regulations regarding criminal investigator positions, and for other purposes.

Pending:

McConnell motion to concur in the amendment of the House to the amendment of the Senate to the bill, with McConnell (for Cochran) amendment No. 2689, making continuing appropriations for the fiscal year ending September 30, 2016.

McConnell amendment No. 2690 (to amendment No. 2689), to change the enactment date.

The PRESIDING OFFICER. Under the previous order, the time until 10 a.m. will be equally divided between the two managers or their designees.

The Senator from Illinois.

Mr. DURBIN. Mr. President, I would like to speak to the vote we are about to cast this morning at 10 o'clock. This is a vote to basically extend the authority and budget of the Federal Government until December 11. This September 30 is the end of our fiscal year, and at least legally, the authority to continue the government depends on budget and appropriations bills being passed by the House and Senate. That has not happened. So what we are doing is a continuing resolution. It basically extends last year's budget until December 11.

Now, that will keep the lights on at Federal agencies, and it will avoid the catastrophic outcome of a government shutdown, but it is not good policy. We have done it on our side—on the Democratic side—and now the Republicans, in control of the Congress, are doing it on their side. It buys time to reach

some sort of agreement that is longer lasting and more thoughtful.

We know the notion of a government shutdown is a disaster, but it is not a unanimous opinion in the Senate or in the House of Representatives. There are actually Members of the Senate and the House who are applauding the possibility of a government shutdown. Some of them were the same people who inspired the shutdown several years ago—a shutdown which cost us 800,000 jobs in America because of the uncertainty created by it and which created real hardship for people around our country. A shutdown, if it happened again in this context, would be even more serious in terms of its impact on the American economy.

So we have a chance. And I would just say to those who follow this debate—and there is no reason why people would follow the minutia—that in June of this year we asked on the Democratic side for the Republican leader to sit down and avoid this actual confrontation we are having today. We asked Senator McConnell and Speaker Boehner to negotiate with the President a new budget—a budget that is realistic and will not harm innocent people.

I am troubled by the notion that Republicans have that we should find war funds to continue funding the Department of Defense and ignore the non-defense parts of the budget. Senator Reid made reference to one. National Institutes of Health medical research, which is critical to America and its future, is now facing the uncertainty of no budget, and that is unfair.

Last night we had a meeting with some of the major medical researchers in the United States, and they said it is hard to convince the next generation of researchers that we as a nation are seriously committed, and it is because of this uncertainty in budgeting. It is a political problem, and one that should be solved by politicians, namely, Members of the House and Senate working with the President.

So we will likely vote—and I certainly will vote in the next few minutes—to extend the operations of the government until December 11. But if it is only for more speechifying and breast-beating by those who want to shut down the government to prove some political point, I have to say they are seriously mistaken. It is the wrong thing for America to shut down the government. It is the wrong thing for job creation to shut down the government. It is the wrong thing for our future, when it comes to medical research, education, and critical programs, to shut down the government. Those who are preaching that gospel should be reminded that 3 out of 4 Americans think they are not very thoughtful—I will clean up my words a little bit—not very thoughtful in using this approach.

So I urge my colleagues on both sides of the aisle to support this continuing resolution but really to light a fire

under the leadership in the Democratic and Republican precincts and to come together in the House and Senate in the next few weeks of this continuing resolution. Let's make sure we have a budget and one that is befitting a great nation.

I yield the floor.

Ms. MIKULSKI. Mr. President, today we are voting on a clean, short-term continuous funding resolution, CR. Passing this legislation means no government shutdown. There may be some drama, but we intend to keep the government open and avoid shutdown, slamdown politics.

Shutdowns are bad for everyone. Shutdowns create uncertainty which slows economic growth, hurts the health and well-being of the entire Nation, and causes the loss of private sector jobs. Shutdowns make it impossible for Federal agencies to meet missions that serve the American people.

Let's show the American people we can work across the aisle and across the dome to get the job done.

Avoiding a shutdown is just the first step. Next, we need a budget deal to cancel sequester. Right now, our budget caps spending, but doesn't cap tax breaks for billionaires and corporations that send jobs overseas.

Americans are angry. They feel like the rules are rigged against them and that those who write the rules don't care.

Let's show them this Congress cares. The people deserve a government on their side.

That is why I am fighting to make sure they have a government that works as hard as they do. After we pass the bill to fund the government, we can move on to a new budget deal that cancels sequester, raising the caps equally for defense and nondefense domestic spending.

The budget deal will give us a framework for an omnibus funding bill that invests in America, protecting national security, rebuilding our physical infrastructure, creating jobs for today and jobs for tomorrow, and meeting our compelling human needs. The Appropriations Committee needs 30 days to get the job done after a new budget deal is passed.

I challenge leadership to work with Speaker Boehner to enact a new topline budget deal by the end of October. We can't let October brinksmanship become a Christmas crisis.

It is clear we need to cancel sequester. And it is clear that the 2013 shutdown was a disaster for everyone—not to be repeated.

This bill provides the resources to keep our government open so agencies can continue to serve the American people, keeping us safe, healthy, educated, moving, and thriving.

The bottom line is we need a new topline. With a new budget deal we get a new topline to invest in America's safety and future.

But we need to pass this short-term CR to get to a deal and not to another shutdown.

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

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

#### AMENDMENT NO. 2690 WITHDRAWN

Mr. TILLIS. Mr. President, I ask unanimous consent to withdraw amendment No. 2690.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The PRESIDING OFFICER. Under the previous order, all postcloture time is expired.

#### VOTE ON MOTION TO CONCUR

The question occurs on agreeing to the motion to concur with amendment No. 2689 in the House amendment to the Senate amendment to H.R. 719.

The yeas and nays have been ordered.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent; the Senator from South Carolina (Mr. GRAHAM) and the Senator from Florida (Mr. RUBIO).

The PRESIDING OFFICER (Mr. COTTON). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 78, nays 20, as follows:

[Rollcall Vote No. 272 Leg.]

#### YEAS—78

Alexander	Fischer	Murkowski
Ayotte	Flake	Murphy
Baldwin	Franken	Murray
Barrasso	Gardner	Nelson
Bennet	Gillibrand	Perdue
Blumenthal	Grassley	Peters
Booker	Hatch	Portman
Boxer	Heinrich	Reed
Brown	Heitkamp	Reid
Cantwell	Hirono	Roberts
Capito	Hoeven	Rounds
Cardin	Isakson	Sanders
Carper	Johnson	Schatz
Casey	Kaine	Schumer
Cassidy	King	Shaheen
Cochran	Kirk	Stabenow
Collins	Klobuchar	Sullivan
Coons	Leahy	Tester
Corker	Manchin	Thune
Cornyn	Markey	Tillis
Daines	McCain	Udall
Donnelly	McCaskill	Warner
Durbin	McConnell	Warren
Enzi	Menendez	Whitehouse
Ernst	Merkley	Wicker
Feinstein	Mikulski	Wyden

#### NAYS—20

Blunt	Heller	Sasse
Boozman	Inhofe	Scott
Burr	Lankford	Sessions
Coats	Lee	Shelby
Cotton	Moran	Toomey
Crapo	Paul	Vitter
Cruz	Risch	

#### NOT VOTING—2

Graham	Rubio
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The motion was agreed to.

The PRESIDING OFFICER. The majority leader.

#### MILITARY CONSTRUCTION, THE DEPARTMENT OF VETERANS AFFAIRS, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016—MOTION TO PROCEED

Mr. MCCONNELL. Mr. President, I move to proceed to Calendar No. 98, H.R. 2029.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 98, H.R. 2029, a bill making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

#### CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 98, H.R. 2029, an act making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

Mitch McConnell, Orrin G. Hatch, Thom Tillis, Tom Cotton, James Lankford, Shelley Moore Capito, Deb Fischer, Thad Cochran, John Barrasso, John Cornyn, Richard C. Shelby, Cory Gardner, Richard Burr, Jerry Moran, Jeff Flake, Steve Daines.

Mr. MCCONNELL. I ask unanimous consent to waive the mandatory quorum call for this cloture motion.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. MCCONNELL. Mr. President, this morning I said the American people are ready to see Democrats start supporting, not blocking, the very bipartisan funding legislation they previously voted for and actually bragged about. I also said we would give our colleagues a chance to do so this week. So I have just set up a vote that will give them that opportunity.

The Military Construction and Veterans Affairs bill is one of the 12 pieces of appropriations legislation we must pass to properly fund our government. It is a bipartisan bill that does a lot of important things for our country, but here is the headline: It supports our veterans.

This bipartisan bill passed committee with support from both Democrats and Republicans. Democrats have said nice things about it in press releases that were sent out to their various States. Now it is time to cooperate across the aisle to finally pass it and support our veterans.

The PRESIDING OFFICER. The Senator from South Dakota.

#### PTC EXTENSION

Mr. THUNE. Mr. President, I rise on a subject of urgency and importance to our Nation's economy. The looming deadline for implementing a new railroad safety technology known as positive train control, or PTC, could soon wreak havoc on our Nation's transportation system. This havoc would not just affect the millions of Americans who board commuter trains every day but also Americans who depend on critical freight rail deliveries. These services could be interrupted because—despite years of warning—implementation of PTC has not kept pace with an overly ambitious schedule set by Congress.

Let me explain how we got here. Seven years ago, following a deadly Metrolink passenger train collision in California caused by an engineer who was texting and failed to react to track signals, this body passed legislation mandating the installation of PTC, an innovative safety technology on over 60,000 miles of rail lines. Though a meaningful and important safety upgrade, PTC is not a panacea. It will not make a difference when rail tracks are damaged or in situations when people trespass on tracks or at highway rail crossings where the most accidents occur, but PTC can and will have an impact in preventing three specific accident scenarios; first, the technology will prevent train-on-train collisions when both trains and the track they are traveling on have fully functioning PTC systems installed; second, the system will prevent accidents or derailments caused by excessive train speeds like the deadly Amtrak derailment in Philadelphia earlier this year; and, third, the technology will help protect individuals working on railroad tracks from being hit by a train accidentally routed onto the wrong track.

PTC systems operate by relying on ground-based computer systems, equipment installed on train locomotives, satellites and wireless radio spectrum-based communications coming from a network of thousands of towers being built along rail tracks. A PTC system can help certain trains automatically communicate with one another and sense if operator instructions—namely speed—are appropriate for where the train is operating. Because it isn't effective unless all trains are linked together on a network, PTC will be required on all passenger and freight trains that travel on rail tracks that carry passengers or certain hazardous materials regardless of what an individual train might be hauling.

Our colleague, the senior Senator from California, Mrs. FEINSTEIN, championed the legislative provision that put this requirement in place back in 2008. The legislative mandate was forward-looking and set an aggressive schedule for fully implementing the technology.