

American driving public cannot afford any more wasted time.

Don't we think these corporations that are causing this outrageous situation that has killed seven people in the United States and severely injured dozens more—don't we think that they ought to be held accountable? If executives at Takata knew about their defective products, if they knew that and did nothing, or worse, if they covered it up, then they ought to go to jail. Not another fine, not another settlement, somebody ought to be going to jail. Lying about a danger of this magnitude is a criminal act.

We have a crisis of consumer confidence in the vehicle-safety area. Certainly that has been demonstrated with these Takata airbags.

What about General Motors' misinformation, lack of information, and outright deception about the defective ignition switches? And now what about Volkswagen's deliberate efforts to lie about—and to cover up—emissions from its diesel vehicles?

A few weeks ago I sent a letter to Chairwoman Edith Ramirez of the Federal Trade Commission, asking them to crack down on Volkswagen's unfair and deceptive practices in connection with its "clean diesel" vehicle claims, and today I received a response. The Chairwoman of that Commission told me they are investigating the claims against Volkswagen, along with the Department of Justice and the Environmental Protection Agency. In her response she said: "No reasonable consumer would knowingly purchase a vehicle that he or she could not legally drive."

I agree. Don't we all agree? So it is time to get tough and to hold these folks and these corporations accountable.

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. TESTER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### CYBERSECURITY INFORMATION SHARING BILL

Mr. TESTER. Madam President, today I rise as a staunch supporter of every American's right to privacy. I rise because, like many Montanans, I have grave concerns about whether my personal information gets handed over to the government.

As the Senate debates the Cybersecurity Information Sharing Act, I start by acknowledging the inherent conflict between the right to privacy and national security. Some folks want to pretend this conflict doesn't exist, but it does. Ask yourself this: How do we stop cyber terrorists from crashing our networks, stealing our personal information, and throwing our entire economy into a tailspin—an economy that is dependent on technology? How do we do this without violating your right to privacy and mine? How do we do this without giving the Federal Government far-reaching authority to share the personal information of law-abiding citizens?

These are tough questions that require thoughtful answers, and I do believe we can answer them. I do believe we can strike a balance that protects our right to privacy and protects our Nation from threats. That is why I want to offer my support for a couple of amendments sponsored by colleagues from both sides of the aisle.

The first amendment, from Senators FLAKE and FRANKEN, provides the necessary 6-year sunset for this legislation. That means that in 6 years Congress would be forced to have another conversation about how we ensure every American's right to privacy while also ensuring our national security. These conversations are incredibly important, and we should revisit them often. We should revisit them often because we know that a government unchecked is dangerous. In a world where technology changes faster than our laws, we cannot and must not give corporations and the Federal Government unbridled authority for generations to come.

We already know that several Federal agencies have engaged in invasive surveillance of law-abiding Americans. They have utilized intrusive monitoring techniques—tracking our phone calls, listening to our conversations, gathering storehouses of personal information. They have done this in the name of the PATRIOT Act, one of the worst pieces of legislation ever to come out of this body. It took a long time for those agencies to own up to the fact that certain operations were far bigger in scope than what they had led Congress or the American public to believe.

The best thing we can do to try to prevent a repeat of those mistakes is to pass the amendment offered by my good friend Senator WYDEN. This amendment would improve cyber security and better protect privacy by reducing the amount of unnecessary personal information that would be shared about a possible cyber security threat. It seems like common sense to me, and I certainly appreciate Senator WYDEN championing this issue.

As Members of Congress we all took an oath to the people of this Nation to protect them from enemies both foreign and domestic, and we should not give up our ability to check and balance this administration or for that matter the next one. That is why the Flake-Franken amendment and the Wyden amendment are so critical, and I urge my colleagues to support them when they come to the floor.

With that, Madam President, 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. 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, I ask unanimous consent to be recognized for such time as I may consume.

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

#### TRANSPORTATION REAUTHORIZATION BILL

Mr. INHOFE. Madam President, I came back today and had really good news over the weekend. I think a lot of people have gotten together on both sides, in the House and the Senate, to do what we are supposed to be doing.

I often refer to that old instrument called the Constitution, which says there are two main things we are supposed to be doing here: One is defending America, and the other is building roads and bridges. That is what we are supposed to be doing.

The Presiding Officer has heard me say before that my top priority as chairman of the Environment and Public Works Committee is, and continues to be, passing a long-term highway reauthorization bill. The last one we passed was in 2005. I was proud to be the author of it at that time. It expired in 2009. Since that time, we have not had anything except short-term extensions. I have to remind my conservative friends, because I am a conservative, that the conservative position is to have a long-term reauthorization bill, because the short-term costs about 30 percent off the top. As a result, the industry stakeholders and local government leaders have lost faith in Congress's ability to provide funding certainty to maintain and advance our surface transportation and infrastructure. Ranking Member BARBARA BOXER and I have been fighting for a long period of time to change this and reverse the trend of wasteful short-term patches.

On June 24, our committee—and this is very unusual for this to happen. Our committee unanimously voted to advance to the Senate the DRIVE Act, which is a 6-year reauthorization bill. In July, the Senate gave strong bipartisan support by a vote of 65 to 34, a 2-to-1 majority. Again, this is not something that normally happens with a major piece of legislation. It also included contributions from the Senate Commerce Committee and the Senate Banking Committee, so it is not just the Environment and Public Works Committee. Other committees have parts of this legislation also.

The Senate worked hard across party lines to put forward a solution for our Nation's roads and bridges. We ended the summer by passing yet another short-term patch in order to give more time for the House to join our efforts. Unfortunately, we are now 3 days away

from facing another cliff and the two Chambers have not yet been able to conference a long-term transportation solution. I just talked to Chairman SHUSTER of the House Transportation and Infrastructure Committee. They marked up a 6-year reauthorization bill just this last Thursday. I am proud to see that both Chambers are on similar pages.

Both bills recognize the need for a national freight program. We approach it just a little differently, but there is nothing that can't be reconciled in a matter of minutes. Further, environmental streamlining is absolutely necessary. Both bills are doing that. We place a new focus on innovation which provides States with flexibility, as in my State of Oklahoma. When we give flexibility to the States, we get a lot more done. This idea that no good ideas are put to work unless they originate in Washington is just not true. Also, long-term certainty, which we are very much concerned with, is there, and it is now a reality. We are now one step closer to putting America back on the map as a place to do business.

It is my understanding that the House intends to move Chairman SHUSTER's 6-year reauthorization bill through the full House over the next 2 weeks. I just spoke with him a few minutes ago. Unlike in years past, I expect a very short conference period. Because we still face this important process, Congress will need one more extension to get us to the finish line. The finish line should be the 20th of November, and it can be done. When I say a very short conference period, it is because there is very little difference between the House bill and the Senate bill. I have talked to the likely conferees, and they are in accord with the idea that we can do this in a matter of hours, not days. I realize there are a lot of moving discussions on larger deals on the debt limit and budget caps; however, there is agreement that the surface transportation bill can and will move on its own timeline.

The House will move a short-term extension to November 20 this week. The ones I have talked to assure me that is going to happen. I hope the Senate passes it quickly so the House can move the T&I-reported bill on the floor and we can move to a quickly resolved conference. Due to the similarity in both bills, I am confident we can and should have this on the President's desk by Thanksgiving.

If we fail to get this done by November 20, we are going to be faced with two significant hurdles: First, Congress has other pressing deadlines to address in December—to include December 11, when funding of the Federal Government expires, and December 31, when a host of important tax provisions will expire. Another December 31 deadline would be the provisions of the National Defense Authorization Act.

I can remember in years past when we got dangerously close to December 31. One time the Big Four had to take

it, and it was not even a product of the committees. I was one of the Big Four. We were able to pass it, but we came so close to December 31, it was scary. Here we are, in the middle of a bunch of wars, and all of a sudden we would have provisions out there—reenlistment bonuses, hazard pay, and things that would expire. Nothing would be worse than to have our kids in combat facing that.

We are addressing these deadlines that will require Congress's undivided attention. Some of the solutions for these bills could result, I fear, in Members attempting to siphon off the payoffs of the DRIVE Act. That is why this is important.

The second significant hurdle we face is that later this year the highway trust fund will drop to a dangerously low level, as DOT Secretary Foxx has warned. At that point, agencies at the Federal and State level will begin to implement cash management procedures that significantly affect the States' construction seasons. In the majority of the United States, we would lose a construction season in States such as Iowa and in Northern States. Mark my words: A failure by Congress to enact a long-term bill by Thanksgiving will result in a loss of the 2016 construction season. Congress is going to return to its current pattern of short-term extensions. Again, short-term extensions siphon about 30 percent off the top. It is a terrible outcome that should be avoided at all costs. We have the opportunity to do it now. By making industry and States continue to hold their breath and budgets, we rob taxpayers of cost-efficient project planning and continue to stall on launching major economy-boosting projects.

Look at my State of Oklahoma, which lost \$63 million in construction dollars over the last few years as a direct result of inefficiency and contracting uncertainty that comes from short-term extensions. I have used that figure of 30 percent off the top with some of my conservative friends. I said: If you oppose a long-term extension, a long-term reauthorization bill, then you are saying that you want to have the liberal alternative, which is to lose 30 percent off the top.

With a fully funded long-term reauthorization, Oklahoma would actually see a savings of \$122 million and millions more in efficiency savings from long-term commitments and early completion savings from contracts. This is something a lot of people don't realize. The streamline you get—many of the NEPA requirements and the environmental requirements can be offset if you are able to get to a long-term bill. But you can't do it, you can't start any large projects—not any of these big projects—the bridge projects and others you can't do on short-term extensions. We haven't had an authorization bill since 2005, and I believe it is time for Congress to fulfill its constitutional duty to fund our roads and our bridges.

As I said earlier, I am confident that the Senate and House will work together to get this bill to the President's desk within the next few weeks. That is my wish for my counterpart on the House side, Chairman SHUSTER—the best of luck in moving forward. He is now committed to doing that. He is going to get this done. He kept his word in getting the job done last Thursday, and now he is going to be able to get this bill up so that we can conference it together. I anticipate we can do a conference in a matter of a few hours. It wouldn't take the normal time.

That is good news. It is good news to come back on a Monday and find that we are going to be doing what the Constitution says we ought to be doing, and that is roads and bridges.

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

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

#### NOMINATION OF LAWRENCE VILARDO

Mr. SCHUMER. Madam President, I rise to take a moment to congratulate the soon-to-be confirmed district judge for the Western District of New York, Larry Vilardo. He is from the Western District. It could not come too soon, because the Western District has been working without a single sitting Federal judge. That will finally change once Mr. Vilardo has been confirmed. He will now begin to hear cases and tackle the backlog that has been steadily building in the Western District. There are few more qualified to help take on this task than Larry Vilardo. That is because Mr. Vilardo is a classic Buffalonian—hard working, salt of the earth, honest, and grounded. He went to Canisius College and then took a brief detour out of Western New York to attend Harvard Law School and clerk on the Fifth Circuit Court of Appeals in Texas before returning home and becoming one of Buffalo's leading legal lights, practicing at a firm he co-founded.

Buffalo is where he was born, raised, and educated, and where he chose to raise his family. Buffalo is in his bones. They love him in Buffalo. When this vacancy occurred, I heard the voices in Buffalo chanting: Vilardo, Vilardo, Vilardo—not just the legal community but just about the whole community. Like so many other people from the region, the city has made him tough, level-headed, fair, and decent.

As the first in his family to graduate from college, he adds an important element to the socioeconomic diversity of the court. The people of the Western District are incredibly lucky to have