I know that some of my colleagues have some specific intervening actions in mind. For example, they would like to see the Federal Government not only regulate the products offered on the insurance market, but the prices as well. And when the inevitable happens—when no private insurance provider can remain profitable in an environment where both product and price are set by the government—these same colleagues will, of course, want the government to step in and provide a plan of its own. In fact, that was what was in many of their minds at the beginning—socialized medicine. They figured this would push us towards it, and it certainly will if we don't change course. Soon enough, because only the government will be able to provide health insurance without the pesky need to turn a profit, the government's health insurance will be the only available option.

I don't want to imply base or bad motives on the part of those who supported health care—by the way, it was a totally partisan vote—but let's be honest about what is going to happen here. A vast group of people on the left are really hoping that the government can do it all, and the government will pay for everything. Somebody has to feed the government too.

Well, in the eyes of many—including, I believe, a number of my colleagues here in Congress—the only way to end the downward spiral we are currently facing under ObamaCare is, as I have said, to create a single-payer health care system. In other words, socialized medicine—where the government provides health care for everybody. We can imagine how the costs are going to go up when that happens.

I made this very claim back in 2010 when the Affordable Care Act was passed, and left-leaning politicians and pundits said it was a paranoid scare tactic. But now, as ObamaCare's downward spiral is becoming more obvious, I suspect that my argument is seeming less farfetched by the day.

Fortunately, the march toward a single-payer system is not our only option. We can take action right now to right this ship. We can control costs. We can take government out of the equation and give patients and consumers more choices.

There are a number of ideas out there that would accomplish these goals. One of them, of course, is the plan Senator BURR and I have offered, along with Representative FRED UPTON in the House. Our plan is called the Patient CARE Act. I have spoken about it at length a number of times here on the floor and elsewhere. While ours is not the only good plan out there, a number of respected health care experts have analyzed the Patient CARE Act and concluded that it would, in fact, bend the cost curve and make health care more affordable for everybody.

Once again, the failure to bring down costs is easily the biggest of ObamaCare's many failures. Our plan would ensure that Congress does not repeat that failure.

I am well aware that health care policy is a contentious topic around here. I know there are a myriad of views and no shortage of fierce disagreements on virtually all aspects of our failing health care system, but right now, it should be clear to everyone that the so-called Affordable Care Act was grossly misnamed. The law has failed to make health care more affordable, and it has failed to correct far too many of the problems that have long plagued our Nation's health care system. The sooner more of our colleagues—particularly those on the other side of the aisle—recognize and admit this failure, the sooner we can begin to work together on a plan that will deliver real results for the American people and not continue on this spiraling downward path of moving toward socialized medicine where we have one-size-fits-all medicine for the people in this country and, frankly, government running it. That has never worked, and it is not going to work in this country.

We need to revamp this program, and we have needed from the beginning to do so. I hope people will listen. I hope the citizens out there will start to pour it on and let everybody know that this is a disaster and that there are ways we might be able not only to stop the disaster, but also to increase good health care, excellent health care for the benefit of our people.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

## TRANSPORTATION BILL AND POSITIVE TRAIN CONTROL

Mr. MORAN. Mr. President, I wish to speak about a piece of legislation that is pending before the Senate and is expected, as I understand it, to be considered tomorrow, and that would be a short-term extension of the Transportation bill.

While I am tired of short-term extensions of transportation bills, it is my understanding that in this particular case a short-term extension will lead us to a long-term transportation bill. I certainly welcome the opportunity to consider something that would meet the needs of our country—its infrastructure needs, our highways, roads, bridges—for a number of years to come. We have to get to the point at which we are dealing with issues over a longer period of time than we do when we do a short-term extension.

It is also important for us to make certain there is certainty so that the Kansas Department of Transportation and other departments across the country, as well as highway contractors and those who use our highways, can have certainty in what the transportation system—the roads, bridges and highways—is going to be.

There is another issue of uncertainty that is out there, and it has to do with positive train control. Included in the legislation, extending the time for us to consider a transportation bill, is a provision that extends the deadline for the final implementation of positive train control, a safety issue that has long had consideration here in Congress, and we are well on our way to having positive train control in our rail transportation system, both passenger and freight. But we need to have an opportunity for that implementation to occur over a slightly longer period of time than what was originally planned when positive train control became a mandate, a requirement upon our railroads.

I am pleased that we are going to consider an extension of the Transportation bill that puts us in a position to deal with a long-term transportation bill. I am also pleased—and I wish to spend just a minute or two speaking—about a provision that is included in that extension, and that deals with extending the positive train control implementation.

I wish to thank my colleague from South Dakota, Senator THUNE. He is the chairman of the committee that I am on, the commerce committee. I thank him for his leadership in advancing this effort and allowing us the opportunity to deliver the certainty that we need on this important issue.

There is no allegation that those who are implementing positive train control are inattentive or that they lack desire; there is no suggestion that it is an undue delay, that they are not doing what needs to be done. Every indication we have from all experts is it has nothing to do with a lack of commitment of the railroads; it has to do with the fact that we can't get there in the time that we had hoped for originally when we set forth this requirement.

We know there is a pending implementation date, a deadline of December 31. We know it is unattainable. It is unattainable despite the fact that billions of dollars have already been spent to get PTC installed as quickly and as safely as possible. However, the reality is that without an extension of that deadline beyond December 31, railroads and shippers—that deadline to take the necessary precautions to alter their service standards is imminent. In other words, if they have to comply, they are going to change their schedules, and that has tremendous economic consequences to businesses that depend upon rail transportation. It creates a significant problem in contingency planning required by a shutdown of the supply chain that uses rail transportation. Congress needs to act now.

There are suggestions that I understand from a number of my colleagues that the extension we are going to presumably be voting on in the next day—that the vote be delayed or that the extension be shortened. I want to express my conviction that it is necessary for Congress to act now, not later. Our Nation's economy cannot afford—those who work in Kansas in agriculture, including our farmers and ranchers, and

those who work in manufacturing, as well as our laborers in the aircraft industry—cannot afford a rail disruption that would occur if we don't do this extension immediately. We need to extend the deadline. As I say, it could have a devastating impact upon thousands of manufacturers, farmers, ranchers, and certainly the passengers who utilize rail transportation—who use Amtrak and other passenger services across the country.

I would indicate to my colleagues that just a few weeks ago my colleague from Montana, Senator TESTER, and I joined in a bipartisan effort to ask our colleagues to express the need for this extension, and we were successful in getting 43 Senators, 12 of whom were Democratic Senators, to sign a letter encouraging our leadership to bring forth this issue. So in a very bipartisan way, with broad agreement, this extension needs to occur.

Incidentally, the House passed this extension by unanimous agreement. Again, apparently there was little controversy or no controversy; it passed by voice vote. So we have significant bipartisan support, bicameral support. The House has already acted, and it is time for us to do so.

I wanted my colleagues to know that many in this Chamber have encouraged this to occur. We are on the precipice of it happening, and we ought not allow it to be delayed or shortened. The extension needs to occur this week. The vote needs to occur this week. The extension needs to be for a sufficient period of time to send that message of certainty and give the rail industry the opportunity to come into compliance in a timeframe that is reasonable and manageable.

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

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

## UNIVERSITY OF PHOENIX

Mr. MCCAIN. Mr. President, I come to the floor for a very unusual reason this afternoon. It has to do with an attack on for-profit colleges by a longstanding campaign by certain groups and individuals who have been opposed to for-profit colleges. They were able to destroy one out in California, and they are continuing to attempt to make those attacks work on other for-profit colleges.

This is a very unusual situation because what we are seeing take place are conclusions being drawn and action being taken—in this case by the Department of Defense—without due process, as a result of pressure exerted by a Member and Members of the Senate, which then has resulted in action without due process.

Last week there was a very interesting editorial in the Wall Street Journal entitled ''Obama's For-Profit Stealth Attack. The Pentagon punishes Phoenix on orders from Senate headquarters.''

Earlier this month the Defense Department cut off military tuition assistance to new students at the for-profit University of Phoenix, which enrolls about 9,300 servicemembers at its 105 campuses nationwide.

Defense's reasons for discharging Phoenix are vague: A review ''in response to allegations published by the Center for Investigative Reporting'' in a June drive-by on the college found minor breaches in decorum.

Let me emphasize that. I say to my colleagues, there was a story written by an outfit called the Center for Investigative Reporting—I don't know anything about them, and I am sure the Department of Defense does not. But as a result of an investigation by an outfit that none have ever heard of, then action was taken by the Department of Defense. It was not a Department investigation. There was no scrutiny. This is a remarkable case of the Senate exerting influence in a way which is, I think, almost unprecedented.

To wit, Phoenix had distributed unauthorized ''challenge coins,'' which commonly denote tokens of recognition, with military insignia. Yet many non-military outfits including the University of Miami, Boeing and Intel—

And I would point out Southern Illinois University—

hand out such coins.

It is not an uncommon practice to hand out coins.

Phoenix's real offense, according to the Center for Investigative Reporting—

Remember, this has nothing to do with the Government of the United States—

is using the coin to ''imply military support'' for the college.

My friends, at least 100 institutions in America give out challenge coins. I wonder if those institutions have committed grievous crime in the view of the CIR.

Defense also censured Phoenix for failing to obtain approvals from the ''responsible education advisor'' to sponsor events on military bases.

First, it is good to sponsor military events on military bases. Lots of organizations, lots of companies, lots of corporations sponsor events on military bases. In this case, although the responsible education advisor was not consulted, the commanding officer of the base was consulted and gave his approval.

Yet as the CIR article showed, military officials have welcomed the university onto their bases.

They welcomed them because they were honoring those who serve—remarkable.

Phoenix didn't navigate all the correct bureaucratic channels.

In any case, as Defense acknowledges, ''the University of Phoenix has responded to these infractions with appropriate corrective action at this time.''

So as minor as these offenses may have been and technical in nature, they have taken the corrective action, but still a Senator wants them punished.

But political general Dick Durbin, the Illinois Democrat who is leading the charge against for-profits in the Senate, nonetheless commanded the Pentagon to ''bar the company from further access to servicemembers.''

So the department is putting Phoenix on ''probation'' because it finds the ''scope of these previous violations'' to be ''disconcerting.'' What's really disconcerting—

According to the Wall Street Journal.

—is the Obama Administration's politicization of military policy. Defense also cites ''inquiries'' by the Federal Trade Commission and California Attorney General Kamala Harris.

To be clear, Phoenix hasn't been charged with wrongdoing. According to the Defense Department, 96% of the university's servicemembers successfully completed courses, a higher rate than the public Central Texas College . . . and nonprofit Liberty University. . . . In essence, the Obama Administration's military tribunal is punishing Phoenix for being a target of the political left.

Yet this is the White House standard of due process, so Phoenix should be nervous.

I say to my friends and colleagues, they are nervous.

Last year the Education Department, Consumer Financial Protection Bureau and Ms. Harris mounted a coordinated campaign that drove for-profit Corinthian College out of business without ever proving misconduct.

This is why I say to my colleagues that I am on the floor because clearly, without any proof of misconduct, with the power of the U.S. Senate, the Department of Education, the Consumer Financial Protection Bureau, and Ms. Harris, they were able to drive a college out of business. And it is obvious what this is really all about. This is all about the constant attacks on for-profit colleges, which is an anathema to some.

Continuing:

Over the last five years, Phoenix enrollment has dropped by half to 220,000 students due largely to the left's assault on for-profit education, which has knee-capped recruiting. . . . Military tuition assistance makes up less than 1% of Phoenix's revenues. However, many servicemembers who are seeking vocational skills later pursue bachelor's and masters degrees at the university under the GI Bill. Veterans make up 20% of the university's enrollment, and many need the flexibility of Phoenix's online courses as they earn a living while going to school.

Most of our veterans, because of their age, have to earn a living while going to school.

The article continues:

The Administration's ostensible goal is to discredit Phoenix and choke off veteran recruitment. But the casualties of its attack will be servicemembers who will now have fewer educational options and opportunities.

Meantime, General Durbin has commanded the Education Department and Department of Veterans Affairs to ''take appropriate action'' against the company. Bombs away.

I wish to point out that recently Senator ALEXANDER, the chairman of the