

through 355 and all nominations on the Secretary's desk in the Air Force, Army, and Navy; that the nominations be confirmed en bloc, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order; that any statements related to the nominations be printed in the RECORD; and that the President be immediately notified of the Senate's action.

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

The nominations considered and confirmed en bloc are as follows:

IN THE AIR FORCE

The following Air National Guard of the United States officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

*To be brigadier general*

Col. Thomas K. Wark

The following Air National Guard of the United States officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

*To be brigadier general*

Col. Howard P. Purcell

The following named officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., section 12203:

*To be brigadier general*

Col. Allan L. Swartzmiller

IN THE ARMY

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

*To be lieutenant general*

Lt. Gen. David D. Halverson

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

*To be lieutenant general*

Maj. Gen. Kenneth R. Dahl

The following named officer for appointment in the United States Army Veterinary Corps to the grade indicated under title 10, U.S.C., sections 3064 and 3084:

*To be brigadier general*

Col. Erik H. Torring, III

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

*To be lieutenant general*

Maj. Gen. Thomas S. Vandal

The following Army National Guard of the United States officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., sections 12203 and 12211:

*To be brigadier general*

Col. Valeria Gonzalez-Kerr

The following Army National Guard of the United States officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., sections 12203 and 12211:

*To be brigadier general*

Col. John J. Morris

IN THE AIR FORCE

The following Air National Guard of the United States officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

*To be major general*

Brig. Gen. Stephen E. Markovich

IN THE ARMY

The following Army National Guard of the United States officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., sections 12203 and 12211:

*To be brigadier general*

Col. Marta Carcana

NOMINATIONS PLACED ON THE SECRETARY'S DESK

IN THE AIR FORCE

PN603 AIR FORCE nominations (1451) beginning BRANDON R. ABEL, and ending BRANDON A. ZUERCHER, which nominations were received by the Senate and appeared in the Congressional Record of June 24, 2015.

PN805 AIR FORCE nominations (19) beginning MICHELLE T. AARON, and ending KIRK P. WINGER, which nominations were received by the Senate and appeared in the Congressional Record of September 9, 2015.

PN808 AIR FORCE nominations (50) beginning QUENTIN D. BAGBY, and ending MARY A. WORKMAN, which nominations were received by the Senate and appeared in the Congressional Record of September 9, 2015.

PN811 AIR FORCE nominations (126) beginning ROBERT H. ALEXANDER, and ending JUSTIN DAVID WRIGHT, which nominations were received by the Senate and appeared in the Congressional Record of September 9, 2015.

IN THE ARMY

PN784 ARMY nomination of Matthew P. Tarjick, which was received by the Senate and appeared in the Congressional Record of September 8, 2015.

PN816 ARMY nomination of Judith S. Meyers, which was received by the Senate and appeared in the Congressional Record of September 9, 2015.

PN817 ARMY nominations (2) beginning THOMAS W. WISENBAUGH, and ending HAROLD P. XENTELIS, which nominations were received by the Senate and appeared in the Congressional Record of September 9, 2015.

PN898 ARMY nomination of Michael A. Blaine, which was received by the Senate and appeared in the Congressional Record of October 5, 2015.

IN THE NAVY

PN906 NAVY nomination of Terry A. Petropoulos, which was received by the Senate and appeared in the Congressional Record of October 8, 2015.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 343; that the Senate vote on the nomination without intervening action or debate; that following disposition of the nomination, the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nomination; that any statements related to the nomination be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

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

The clerk will report the nomination.

The bill clerk read the nomination of Edward L. Gilmore, of Illinois, to be United States Marshal for the Northern District of Illinois for the term of four years.

Thereupon, the Senate proceeded to consider the nomination.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Gilmore nomination?

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table and the President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

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

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

TRADE ACT OF 2015—Continued

Mr. PAUL. Mr. President, I rise today in opposition to raising the debt ceiling. I rise particularly in opposition to raising the debt ceiling without getting any sort of spending reform or budgetary reform in return. In fact, it will be completely the opposite. We will be raising the debt ceiling in an unlimited fashion. We will be giving President Obama a free pass to borrow as much money as he can borrow in the last year of his office—no dollar limit. Here you go, President Obama, spend what you want. We do this while also exceeding what are called budget caps.

We have been trying to have spending restraint in Washington. It hasn't worked very well, but at least there are some numbers the government is not supposed to exceed. These include spending caps for military spending as well as domestic spending.

When I first arrived in 2010, I was part of the movement called the tea party movement. We came into prominence, and I was elected primarily because I was concerned about the debt, worried about the debt we were leaving to our kids and our grandkids, worried that we were destroying the very fabric of the country with debt.

We came here in 2010, and we negotiated and negotiated, and President Obama said: I won't negotiate with you. I won't negotiate with a gun to my head.

The media said: You always have to raise the debt ceiling. It is irresponsible to use that as leverage to get reform.

But you know what. We did get reform. The conservatives put together something called cut, cap, and balance. It was passed overwhelmingly in the House, blocked in the Senate, but ultimately there was something passed called sequestration, which put caps on both military and domestic spending. It did slow down the rate of growth in government for a little while.

This is the problem with Congress: Congress will occasionally do something in the right direction, and then they take one step forward and two steps back. In 2013 we gave up on the sequester and we added back in about \$60 billion worth of money. Now they are doing the same thing again. This time we are going to add back in \$80 billion—\$50 billion in 2016 and another \$30 billion in 2017.

We are doing the opposite of what we should be doing. We should be using the leverage of the debt ceiling by saying: We are not raising it again until you reform your ways, until you begin spending only the money you have.

Instead, we are saying: Here, Mr. President. You can raise the debt as much as you want. You can spend as much as you want while you are in office, and we are going to do nothing. In fact, we are going to help you. We are going to exceed the caps so everybody gets what they want.

So everyone in Washington is going to get something. The right is going to get more military money, the left is going to get more welfare money, the secret handshake goes on, and the American public gets stuck with the bill.

I think one of the most important things that we do is defend the country. If you ask me to prioritize the spending, I will say we have to defend the country above and beyond and before all else. But that doesn't mean we are stronger or safer if we are doing this from bankruptcy court.

I think the No. 1 threat to our country, the No. 1 threat to our security is debt, this piling on of debt. The debt threatens our national security. Yet we just want to pile it on and pile it on.

This deal will do nothing but explode the debt. In fact, it doesn't even limit how much the debt can go up. We are giving the President a blank check.

We are in the middle of a filibuster. This filibuster will go on until about 1:00 in the morning, and then we will find out who the true conservatives in this town are. If you are conservative, you will say: There is no way I am going to vote to give an unlimited power to the President to borrow money. If you are a conservative, you are going to say: We shouldn't be exceeding the budget caps; if anything, we should be passing more stringent budget caps.

It disappoints me greater than I can possibly express that the party I belong to that should be the conservative party doesn't appear to be conservative. This is a big problem.

I am traveling the country, and I have asked Republicans everywhere. I

have yet to meet a single Republican who supports this deal.

In the House, they voted on this yesterday. Do you know what the vote was? Two to one among Republicans say that this is a god-awful deal and that we shouldn't touch it with a 10-foot pole. It is a terrible deal. House Republicans understood this.

We should be doing the opposite. We should be taking the leverage of saying we are not going to raise the debt ceiling unless we get reform. Instead, we went to the President and said: Here, raise the debt ceiling as much as you can possibly spend over the next year, and we will let you exceed the budget caps. It is irresponsible. It shows a lack of concern for our country, for the debt, and it should go down in defeat.

When I ran for office in 2010, the debt was an enormous issue. The debt was \$10 trillion. Some of us in the tea party were concerned because it had doubled in the last 8 years. It doubled from \$5 to \$10 trillion under a Republican administration. Many of us were adamant that Republicans needed to do a better job. We had added new entitlement programs, we added new spending, and the deficit got worse under Republicans. Now we are under a Democratic President and it is set to double again. This President will add more to the debt than all of the previous Presidents combined. So we will go from \$10 trillion now to nearly \$20 trillion. We may get close to \$20 trillion, and now that we have increased the debt ceiling an unspecified amount, we may well get to \$20 trillion by the time this President leaves.

Is that a problem? Some people say: It is just a big number. I don't know what \$1 trillion is.

If you want to imagine \$1 trillion, take thousand-dollar bills and put them in your hand. Thousand-dollar bills 4 inches high is \$1 million. If you want to have \$1 trillion in thousand-dollar bills, it would be 63 miles high. We are talking about an amount of money that is hard to fathom.

You say: What does that mean? How does that hurt me or my family?

Economists say we are losing 1 million jobs a year through the burden of debt. Economists also say that when your debt becomes as large as your economy, you are in a worrisome place; that when the debt is as large as the economy, there is a possibility that you may enter into a period where you might suffer a panic or a collapse or a burden so great that your economy can't withstand it. In 2008 we were very close to a panic. I think we get closer with each day.

The No. 1 priority up here shouldn't be trying to scrounge around and find new money to spend. It should be trying to conserve. It should be doing something that some say is radical but I say is the absolute essence of common sense; that is, we should spend what comes in.

So often up here, things become partisan and people just want to point fin-

gers and say: Oh, it is that party that did it; they are the ones responsible for the debt.

But I want to let you in on a secret. This is a secret that goes on and on and on up here. It is something I call the unholy alliance. It is the unholy alliance between right and left—they both have sacred cows they want to spend money on. Instead of saying: The debt is a real problem, and we both have to conserve in both areas, they get together secretly and raise the money for their sacred cows. So on the right we are busting the limits because the right wants more military spending. The left wants more for welfare. The unholy alliance is the secret handshake. And what gets worse? The debt. We are borrowing \$1 million every minute, and it is not going to end in a pretty way.

What do other conservatives have to say about this deal? Stephen Moore at the Heritage Foundation writes: "It is the worst budget deal to be negotiated by the GOP since George H.W. Bush violated his 'no new taxes' pledge in 1990."

Rush Limbaugh says: "The Republican party cannot campaign by running around blaming the Democrats for destroying the budget, for overspending, for threatening the very fabric of the country." They can't do it because they are now complicit.

We can't point fingers and say the Democrats are the big spenders. We now, by this deal, become complicit. We become equally guilty of supporting new debt.

Some say: Well, gosh, you have to raise the debt ceiling, right? If you don't raise the debt ceiling, there will be a default.

Hogwash. Do you know how much money comes into this place every month through taxes? About \$250 billion comes in in taxes. Do you know what our interest payment is? About \$30 billion, might be as high as \$60, \$70, \$80 billion. There is never not enough revenue to pay for interest. People say we couldn't pay for everything. I say maybe we shouldn't spend it on everything. We have plenty of money that comes in every month to spend on interest, to spend on Medicare, to spend on Social Security, and to spend on soldiers' salaries and veterans affairs and the rest, but maybe government shouldn't be doing much else.

These are the questions we would have to ask: What would happen if the debt ceiling didn't go up? We would have a balanced budget. How bad would that be? If your debt ceiling didn't go up, you would spend what comes in. That is what every American family does—they spend what comes in.

I think this is absolutely what we need to do, but even I am willing to compromise, so I have put forward a compromise. I put forward a compromise that we tried in 2011 called cut, cap, and balance. My compromise would cut the deficit in half in 1 year—a dramatic lessening of the burden of

debt. That is the cut. The cap is that my bill would actually cap spending at 18 percent of GDP—18 percent of the total amount of money spent on the economy. Why did we pick 18 percent? Because that leads to a balanced budget. The last part of my bill of cut, cap, and balance is we would pass a balanced budget amendment to the Constitution. I have kind of jokingly said—but probably seriously—if we pass a balanced budget amendment to the Constitution and we pass term limits, I will go back to being a doctor, which is my first love anyway.

We have to fix the country. We are destroying the country with debt. We are drowning in a sea of debt, and neither party seems to be concerned with it anymore.

So what I would do is I would say, yes, I will compromise. I will raise the debt ceiling under these three conditions: cut the deficit in half, cap the spending, and pass a balanced budget amendment to the Constitution.

People say: Well, there aren't the votes for that.

Why don't we have a vote? Why don't we allow a vote on cut, cap, and balance, the conservative alternative to this deal we have on the floor? Why don't we vote on an alternative? Because there won't be any amendments allowed. This will be pushed through without amendments. I really object to that. This is supposed to be a body of deliberation. We are supposed to be able to deliberate over how we are going to fix the problems of the country. And I think this is the No. 1 threat to us. We are accumulating debt at \$1 million every minute. Someone has to stand up and do something about it.

Taxpayers for Common Sense says about this: "We're not a fan of the Bipartisan Budget Agreement of 2015."

CATO writes: "The Gipper's [Ronald Reagan's] ghost is probably looking down from heaven at the new budget deal between congressional leaders and the Obama administration and saying 'there they go again.'"

"So let's rephrase the question: What do advocates of fiscal restraint get in exchange [for raising these spending caps]? Well, if you peruse [this] agreement, it's apparent they don't get anything."

What we have traded is an increase in the debt ceiling—not just an increase, an unspecified increase in the debt ceiling. We have said to President Obama: You can spend as much money as you want throughout the rest of your Presidency—no limits.

The National Taxpayers Union writes:

If the question on the budget and debt ceiling package is "Deal or No Deal?" taxpayers should clearly opt for the latter.

While the agreement contains a few meritorious provisions, it fails other sufficient savings and structural reforms necessary to address our Nation's \$18.1 trillion debt problem. The debt is without question the No. 1 problem in the country. We will have a vote

this evening, and that vote will be: Do you care? Are you willing to do something to slow it down? Do you think we ought to use the leverage of the debt ceiling to slow down spending or are you a profligate spender who will vote to bust the caps and who will vote to give President Obama unlimited borrowing authority?

I think it is a clear-cut question. I will vote no, and I will continue this filibuster as long as there are enough votes to allow it to continue.

UNANIMOUS CONSENT REQUEST—S. 2182

Mr. President, at this point, I ask unanimous consent that the Senate proceed to the immediate consideration of my bill, Cut, Cap, and Balance, which is Calendar No. 274, S. 2182. I further ask that there be 1 hour of debate equally divided in the usual form; that following the use or yielding back of time the bill be read a third time and passed and the motion to reconsider be made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

Mr. WYDEN. Mr. President, reserving the right to object.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, the Senate is now considering a bipartisan budget agreement. I believe it is important to pass that bipartisan effort to avoid catastrophic default and to put an end to the mindless sequestration and pass funding to keep the government open. Regrettably, because I often agree with my friend from Kentucky and we team up on so many issues, the request to take up the Cut, Cap, and Balance legislation is a step in the wrong direction.

When you push for cut, cap, and balance in this context, you are pushing for default, recession, and joblessness because that is what all of the independent financial authorities tell us is what is ahead if we don't act in the Senate. The desire to set aside what we are working on and pursue this other legislation is specifically an approach that would throw aside the bipartisan agreement before the Senate.

This bipartisan effort is exactly the kind of bipartisan work where Democrats and Republicans come together to tackle a major issue. The American people expect their leaders to find common ground on key issues. That is what this legislation does.

For those reasons, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Kentucky.

Mr. PAUL. Mr. President, I agree with the Senator from Oregon that bipartisan agreement is necessary in this body, but I think we have in this agreement bipartisan agreement in the wrong direction. The bipartisan agreement we need is to conserve across the board, for both sides to say that our sacred cow, whether it is military on the right or domestic spending on the left—that they all will have to be conserved. We will not be able to spend money we don't have.

I think we are becoming weaker as a nation the more we borrow. If we pass this bill, it is not a difference or a choice between calamity and continuing to add to the debt—which this bill will do. I fully believe we can continue to make our payments. We have \$250 billion a month that comes in. Interest payments are \$30 billion. There is absolutely no reason we would ever default. In fact, I have a bill called the Default Protection Act, which would ensure that Social Security, Medicare, our soldiers' salaries, and the interest on the debt were paid for. So I think what we should be doing is doing the opposite kind of compromise. Right and left should come together and say: You know what. I really want spending on this. The right says: I really want spending on the military. They should come together and say: You know what. We don't have any money. We are borrowing \$1 million every minute.

So I think this bipartisan compromise goes in the wrong direction. What I would ask for is a bipartisan compromise to actually save money and borrow less.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. CASEY. Mr. President, I ask unanimous consent to speak as in morning business.

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

SYRIA

Mr. CASEY. Mr. President, I rise to talk about the conflict in Syria, and in particular what is happening over the next couple of days and weeks. We know that in the last 4 years, starting in 2011, this conflict has resulted in the deaths of a quarter of a million Syrians. More than 4 million Syrians have fled and registered as refugees in neighboring countries. We are told that 7.6 million Syrian are displaced from their homes within Syria itself.

So when you combine those who have fled the country because of the violence and combine that with the number of folks displaced in the country, you have about half the population of Syria. If we had the equivalent number here in the United States—of over 300 million people—that would be something on the order of 150 million Americans displaced from their homes. We cannot even imagine the scale of that suffering.

At the center of this horror, this horrific war and humanitarian catastrophe, sits Bashar al-Assad, the dictator, who in the estimation of many experts and world leaders, and this is my opinion as well, has lost all legitimacy as the leader of Syria. A conflict that began with peaceful protests by Syrian young people for change quickly gave way to fighting on the streets of Homs, Daraa, and Aleppo.

Assad's security forces have attempted to quash dissent with brutal beatings, imprisonment, starvation, use of chemical weapons, and wholesale destruction from indiscriminate barrel

bombs, which, by the way, is a violation of international law. These actions prove to be a recruiting windfall for extremists and terrorist groups like ISIS, which now operate along many major transportation routes and cities in parts of Syria.

The Institute for the Study of War just this week assessed that ISIS is now challenging the Assad regime for control of the supply line to Aleppo, expanding their reach westward. As I have said before and some others have said—it is what I will continue to maintain—the conflict in Syria and the international effort to degrade and ultimately defeat ISIS are inextricably linked.

We cannot expect to bring about a lasting defeat of ISIS without bringing about a political transition in Syria. The atrocities perpetrated by these two evils, one the Assad regime and also ISIS—these atrocities are too numerous to catalog today. Neither entity offers a stable, secure, and prosperous future for Syria. Several times the United States has participated in international negotiations with an eye toward ending this horror and paving the road toward a third choice for Syria.

That is what this would be, a real political transition featuring inclusiveness, rule of law, and the primacy of citizenship over sect, ethnicity, and other divisive categories. These conversations have yet to bear fruit, mostly because the regime in Iran and the Russians continue to offer a lifeline to the murderous Assad, but we must keep trying. We must keep trying.

One look at the images of the destruction in Aleppo or the faces of Syrians fleeing to Europe for a better life reminds us of the human costs of inaction. It is because of this that the Iranian and Russian escalation in recent weeks is so outrageous. These countries look at Syria as a ground line of communication to Hezbollah or a friendly host for a warm-water naval outpost. They turn a blind eye to the suffering of ordinary men, women, and children in an effort to exert their international influence. Russia's warplanes have struck in areas where the Syrian opposition, not ISIS, operates. Their strikes appear indiscriminate and have killed many civilians.

Now, in the case of Iran, the recent visit of a designated terrorist and IRGC commander, Qasem Soleimani—his movement to Syria indicates that Iran and its proxies like Hezbollah are still central elements of this fight. I am on the floor today as leaders from major countries meet in Vienna. Yesterday in a speech at Carnegie Endowment, Secretary Kerry described his diplomatic task as “charting a course out of hell.” That is how he described the way out through a political resolution in Syria.

Although news reports indicate that these talks will not deal directly with the question of Bashar al-Assad, our policy must remain firm. Assad has no place—no place in Syria's future. No bombing campaigns, no promise of

sham elections should change that. I commend the work Secretary Kerry is doing. I commend him for the speech he gave yesterday.

One month ago I wrote to him calling for greater U.S. leadership on at least three tracks: political, multilateral, and humanitarian. In the response to my letter, the State Department emphasized, “The only way to sustainably end the suffering of the Syrian people is through a genuine political solution consistent with the Geneva principles.”

I appreciate and agree with this commitment. However, I am concerned that the Governments of Syria, Iran, and Russia remain in clear violation of multiple U.N. Security Council resolutions, including flouting arms control restrictions and travel sanctions. These regimes do not appear to be ready for dialogue consistent with the Geneva principles. Secretary Kerry said during his Carnegie speech yesterday that the United States and Russia have many points of common ground on Syria. However, the areas of divergence are stark.

We know there is no military solution to this conflict. Only a political settlement can heal the deep wounds across Syria. We must continually assert that no political solution can include a role for Bashar al-Assad. For a ruler who indiscriminately barrel bombs children over and over again, presides over the death of over one-quarter of a million civilians, there must be no soft political landing.

We have said over and over again—and I will continue to say it—that Assad must go. It is important our negotiators in Vienna insist that these talks are a vehicle to effectuate the removal of Assad, not continue his brutal rule.

I yield the floor.

The PRESIDING OFFICER (Mr. CASIDY). The Senator from Georgia.

Mr. ISAKSON. Mr. President, I ask unanimous consent to speak as in morning business and following my speech that Senator LEE from Utah be recognized.

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

TRIBUTE TO M.H. “WOODY” WOODSIDE

Mr. ISAKSON. Mr. President, all of us know that back in our home States today and every day, there are men and women working hard to plant the fields, manufacture the products, run the chambers of commerce, sell the groceries, cut the lawns, make the beds, make our States work, and make our economy work. We also know that as politicians serving in the Senate, there is not one of us who doesn't owe our career to community leaders back home who take the time to lend their support to us, bring their communities to us, and give us the fortification we need to serve our great State.

Back in Georgia there is one such person who means a lot to me and who meets all those criteria. His name is Woody Woodside. Woody is the president of The Brunswick-Golden Isles

Chamber of Commerce in Brunswick, GA. On November 5, he is going to be honored for 30 consecutive years as president of that chamber. And Woody is one great chamber president, let me tell you.

He got his start right here in Washington, DC, working 11 years for Bo Ginn, the Congressman from Georgia's coast, and for 3 years following that for Bo's successor, Lindsay Thomas. Woody worked hard for our State, he worked hard for his district, and he worked hard for those members of commerce.

But he comes back to us every year now as the president of the chamber of commerce. He brings his board with him. He brings the issues that are before them and he lobbies hard for his community. But he also lobbies hard for the environment. Woody represents a chamber that promotes tourism on the coast of Georgia but fights equally for the preservation of the estuary of the Atlantic, the Marshes of Glynn.

He is proud of his community and proud of the work he does. He is a tireless worker on behalf of his State and his community. He loves his beautiful family—his wife Ellen, his daughter Mary Gould, his late son Jay, his grandson James “Woods” Woodside, and his granddaughter Mary Bremer Moorhead.

He is one of those priceless citizens who means so much to our State and so much to me personally. On this occasion on the floor of the Senate, I pay tribute to Woody Woodside for his 30 years of service to the Brunswick-Golden Isles Chamber of Commerce and thank him for everything he has done for his country, his State, and his community.

May God bless Woody Woodside, and may God bless the United States of America.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Mr. President, the budget deal before the Senate today is not just a horrible piece of legislation that is undeserving of this Chamber's support, it also represents the last gasping breath of a disgraced bipartisan beltway establishment on the verge of collapse.

The bill is the product of an unfair, dysfunctional, and fundamentally undemocratic process—a process that is virtually indistinguishable from what we promised the American people a GOP-controlled Congress would bring to an end. We made that promise precisely because negotiating legislation behind closed doors without input from the majority of Members and then rushing it through to final passage without debate or opportunity for amendments violates our party's core principles. It also inevitably leads to bad policy.

The Bipartisan Budget Act of 2015 is a case in point. This bill would suspend the debt limit for 17 months and increase government spending beyond its already unsustainable levels. It would

do so while failing to make reforms that would put us on a path toward fiscal sustainability.

Many proponents of this budget deal challenge this claim. They say: Well, the bill isn't perfect, but while it isn't perfect it does include some meaningful entitlement reforms.

The sales pitch we hear most often alleges that this budget deal will save the Social Security disability trust fund from insolvency, but we are never told exactly how this bill would do this. That is because, as always, the devil is in the details.

I rise today to discuss these very details, details that prove this budget deal's so-called entitlement reforms are nothing of the sort. At best, they are well-intentioned but ineffectual tweaks to a program that desperately needs fundamental, structural overhaul. At worst, they are accounting gimmicks unbecoming of the U.S. Congress.

According to the Social Security trustees, the Social Security Disability Insurance Program—or SSDI—is scheduled to run out of money in 2016, which means that without serious reform disability benefits would be slashed across the board by nearly 20 percent.

Under the Budget Control Act of 2015, the bankruptcy deadline of SSDI would be pushed off for an additional 6 years until 2022. But here is the kicker: It would do so by raiding the Social Security trust fund to the tune of \$150 billion. That is right. Our grand, bipartisan solution to the impending insolvency of our Nation's disability insurance program amounts to stealing \$150 billion from our Nation's largest retirement insurance program.

This isn't the only phony pay-for in this budget deal. There are others that simply move money around from elsewhere in the Federal budget, such as the Crime Victims Fund and the Assets Forfeiture Fund. There are also new heavyhanded instruments that purport to implement cost savings in Medicaid reimbursements but actually only impose misguided price controls on the generic drug industry. Only in Washington, DC, could something so deceptive and ineffective, something so unfair to America's seniors and future generations, be considered a reform.

To be fair, there are a couple of sound entitlement reforms in this budget deal that deserve to be commended. First, there is a position that would correct a design error in the Social Security program that amounts to an unfair and wasteful loophole. Fixing this would save a significant amount of money over a 75-year window. There are also measures that would increase the penalties for fraud, create new pilot programs, and prohibit doctors with felonies from submitting medical evidence. But these minor changes don't even come close to putting SSDI on a path toward fiscal sustainability and sanity, and they represent only a tiny fraction of the sensible reform proposals put forth by our conference.

Many of my colleagues, such as Senator LANKFORD and Senator COTTON, have already spoken or will soon speak on the floor about the long list of structural reform ideas that are still sitting on the sidelines of this debate. I wish to take a moment to touch on just a few of them.

Senator COATS has a proposal that would protect the SSDI trust fund from being drawn down by fugitive felons illegally receiving disability benefits.

Senator HATCH has put forth a plan that would prevent an individual from receiving both unemployment insurance and disability insurance simultaneously, ensuring that SSDI funds would remain focused on their intended population.

I also have a proposal that would expand the footprint of private disability insurance program, which I intend to file as an amendment to this bill.

That is not all. My friends, Senator COTTON and Senator LANKFORD, have their own proposals, and there has been an equal amount of policy innovation by our colleagues in the House of Representatives.

They are all commonsense ideas that would bring us much closer to real SSDI reform than what is found in this budget deal, but you won't hear much about them in this debate because there won't be any real debate on the Bipartisan Budget Act of 2015—no amendments, a fast-approaching deadline and, in the end, a take-it-or-leave-it choice forced upon us with our backs up against a cliff.

This is not how Congress is supposed to operate. This is not how we promised the country we would conduct the American people's business if given control of the House and the Senate. We should be the party of ideas, but we won't be so long as we continue to tolerate a legislative process that stifles our most innovative proposals from getting a fair hearing. We should be the party of reform, but we won't be so long as individual Senators are blocked from offering amendments to legislation. We should be the party of fiscal sanity and responsible governance, but we won't be so long as we continue to govern by crisis and by cliff, delaying the inevitable while working only 3 days a week in our legislative calendar. We should be the party that looks out for the most vulnerable among us, but we won't be so long as we lack the courage to enact the structural reform that our retirement and disability programs need to survive for generations to come.

We can be all of these things. I know we can, but it is going to take hard work—a fair, open, and inclusive legislative process, and all the policy innovation we can muster. It is going to take something more, something better than this budget deal.

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. CARPER. 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. CARPER. Mr. President, in recent weeks I have spoken three or four or five times on the question of whether we are going to realistically and honestly fund the transportation improvements our country so badly needs. I don't know if it is my imagination, but every time I am here speaking on the subject, you are here. We have any number of people—50-some Republican Senators in the majority—who cycle in as Presiding Officer, yet you always seem to draw the short straw and get to hear me wax eloquently about transportation infrastructure. I am honored you would be back again today for more of the same. Pretty soon, you will be able to give these talks for me and I will sit up there and preside. I won't ask unanimous consent for that, but it is a good thought.

Mr. President, this is a picture that was taken, gosh, 60 or 70 years ago, and there is a quote here by a fellow who was a great military leader for our country during World War II and later one of our Presidents. In fact, he was President when I had just about come into the world and left as President a few years after that. The photograph says, "This is the first project in the United States on which actual construction was started under provisions of the new Federal Aid Highway Act of 1956."

This is in Missouri. They have the contractor and some of the local folks there. I don't see Ike anywhere, but his words are here at the bottom of this old photograph. His words that day were: "A modern, efficient highway system is essential to meet the needs of our growing population, our expanding economy, and our national security."

There is a word—"prescient"—that indicates something is wise and forward-looking. Those words are just that—wise and forward-looking—and they were first spoken almost 60 years ago by President Eisenhower.

This week, President Obama and leaders in the House of Representatives and the Senate reached a long-sought compromise on a budget deal for 2 years, through 2017. And while there are certainly some aspects of that budget deal that are disappointing, other aspects of it, at least for me—in terms of finding ways to save money, going after program integrity, and looking for waste and fraud—bring a good deal to like about it as well.

It is encouraging that Democrats and Republicans were able to come together to reach an agreement—any agreement—that will pause the cycle of crisis government, from crisis to crisis, where we find too much of our time across the Federal Government, as we run up to these crises, spent not doing work—the work we ought to be doing—

but actually trying to figure out how we deal with a shutdown. At least we can say this agreement will prevent that and for the next couple of years enable people across the Federal Government to do their work, whether it happens to be agriculture, environment, law enforcement, border security, or you name it.

The other thing I would say is by preventing a default on our Federal obligations and lifting the harmful spending cuts—particularly in the areas of our budget where we actually invest money that create economic opportunity—this deal will help to encourage continued economic growth and recovering from low job creation and job preservation.

I heard today that this agreement is worth about an extra one-third of a million jobs, and in a little State like mine, Delaware, with fewer than a million people, that is quite a few jobs. However, if we really wanted to focus on economic growth and job creation, we would be talking a lot more about transportation, and I mentioned the words here of Dwight Eisenhower, but let's go on to the next poster.

While there is much to like in the budget agreement we are debating today and into the night, I am disappointed that it fails to offer a long-term plan to increase investment in America's infrastructure, particularly in our transportation infrastructure. A budget deal like this offered a prime opportunity to address our chronic underinvestment in the roads, highways, bridges, and transit systems of this Nation.

I have looked high and low in this budget agreement, and when it comes to transportation, there is a "whole lotta nothing" in there with respect to transportation and infrastructure investment. Instead, Congress is now poised to pass not the 13th but the 14th extension of our Federal transportation programs since 2008. We have done this 14 times. Fortunately, this extension does not require us to add to the \$74 billion we have spent since 2008 to bail out the highway transportation fund time and again, but it only continues the cycle of uncertainty and crisis governing that prevented our States and our cities from planning major transportation projects.

I would just insert here that if you look at the country from coast to coast, our State transportation budgets use a mix of funds from different sources, but on average, about half the money they spend—from Delaware and the other 49 States—comes from the Federal Government.

We have missed another opportunity to give our Nation's economy a serious boost. This is a little bit of what I am talking about. This poster says: "Here's why Congress needs to reauthorize funding to rebuild America's infrastructure." Here are a few numbers to keep in mind: 25 percent, 45 percent, and 65 percent. Twenty-five percent of our bridges require significant

repair. Either that or they cannot handle today's traffic at all. Twenty-five percent. Forty-five percent of Americans lack access to transit. Forty-five percent. Sixty-five percent of America's roads are rated in less than good condition. Sixty-five percent.

There is an outfit called the American Society of Civil Engineers. One of the things they do every year is to rate highways, roads, and bridges. They assign a grade. It could be an A.

We have our pages here. They are here doing their school work while they are paging in the Senate, so they do double duty, but hopefully they are all getting A's in their courses. Our roads, highways, and bridges do not receive any A's. They do not receive B's. Hopefully our pages get B's and better, but our roads, highways, and bridges do not. In fact, our roads, highways, and transit systems are earning a D. D is disappointing. D is degraded. D is dogged. And our Nation's bridges earn a C-plus. Those aren't grades that our pages would be proud of or that their parents would be proud of, and those certainly aren't grades we should be proud of as a country.

In the most recent World Economic Forum ranking, in less than a decade the United States has fallen from seventh overall in the quality of our transportation infrastructure. A decade ago we were No. 7; today we are No. 18. In *Billboard* magazine, when they are rating the top record across the country—a record on the rise gets a vote. A No. 5 in the vote means it is heading up the charts. Ten years ago we were No. 7, and now, like a bullet, we are heading right the other way—from No. 7 to No. 18. We are heading in a very wrong direction.

Here in this poster we can see that highways and transit spending as a share of GDP has not been going up.

In 1962 John Kennedy was President and I was a junior in high school, just like you pages. In 1962 the share of GDP that we spent for highways and transit was right at 3 percent—right at 3 percent. Over time it started dropping. Around 1972, in the middle of the Vietnam war—I spent some time overseas in Southeast Asia with my compadres—it dropped to 2 percent. We were trying to pay for guns and bullets. It really dropped rather steeply there, probably because of the war. What has gone on since 1972 is to trend down, down, and down, and now the number is somewhere between 1 and 1.5 percent. It has diminished by more than half since 1962.

Let me mention a couple of other numbers. The infrastructure spending is only about 2.5 percent of GDP in the United States. Actually, it is only about 1.5 percent in the United States. What is that compared to? Compared to what?

I have a friend, and when you ask him "How are you doing?" he says "Compared to what?" Well, how is the United States doing? Well, compared to what? We are at 1.5 percent—actually,

a little less than that—of GDP for transportation infrastructure. Where are our Canadians up to the north? They are at 4 percent—more than twice the number we are. Australia, South Korea—where are they? They are at 5 percent, and 5 percent for most of Europe. China is at 9 to 12 percent. They are spending 9 to 12 percent of their GDP on transportation and infrastructure. We are spending 1.5 percent. That is not a good thing. That is not a good thing.

The National Association of Manufacturers estimates that their investments in roads and highways dropped significantly between 2003 and 2012. How significantly? By another 20 percent.

To meet our country's needs in ways that support American business and families, an outfit called McKinsey Global Institute—most of us have heard of the McKinsey Consulting Company, but they have an arm of their company called McKinsey Global Institute—estimates that we need to increase infrastructure investment by \$150 billion annually through 2020 to catch up the backlog of projects that are badly needed—roads, highways, bridges, and transit.

Our lack of transportation investment is hurting families, individuals, and businesses. There is an outfit down in Texas, Texas A&M, which is famous in recent years for their football teams, but they are also well known because every year they give us a report on congestion on the roads, highways, and bridges in the United States. They found that the average commuter across the country wastes 42 hours per year in traffic—42 hours per year just sitting there or barely moving. If you actually look at cities such as New York City or Philadelphia or Dallas or Denver or L.A., that number is 82 hours per year. Think about that—82 hours per year here in the greater Washington area and a lot of other places, such as L.A. and New York City. The resulting wasted fuel and lost productivity cost the Nation's economy \$160 billion this year—\$160 billion. That works out to about \$960 per commuter.

In addition to congestion, we have other costs to commuters—people out on the roads, highways, and bridges—that come from our repairs.

Not everybody can see this, but obviously there is a guy working on potholes and talking to his supervisor. It says: Warning, potholes. But here is the number that is really the key: There is \$516 per driver in increased repair and maintenance costs every year.

There was an editorial in the *Philadelphia Inquirer* last week, talking to consumers and voters, that said: The next time you get a bill for replacing your tires, your steering, your rims or whatever, send the bill to your Congressman, your Congresswoman, your Senator.

Even if it is only half of that, it is still a lot of money. I don't have reason to believe it is half, but even if it is, it

is a huge amount of money that we are spending. Add to that the waste of time, and this adds up.

This is a sad commentary. Some of the charts I use are humorous; this one is not. Poor roadway conditions were a significant factor in approximately one-third of the 32,000 traffic fatalities last year. About 10,000 people who would be alive today are not. The primary contributing factor to their death was the poor condition of the highways, roads, and bridges on which they were traveling.

I mentioned the McKinsey Global Institute a minute ago. They said that if we were serious about making real progress and doing it promptly on the condition of roads, highways, bridges, and transit systems, we ought to be investing about \$150 billion a year. Here is another report from the McKinsey Global Institute. It says that about a \$150 to \$180 billion in annual investment is needed for 15 to 20 years. That is a lot of money for a long time. They say that if we are serious and consistent in robustly investing in transportation infrastructure, we would add to GDP, not once but every year, somewhere between 1.4 percent and 1.7 percent per year, and we would add about 1.8 million jobs if we are willing to make the kind of investments that we need. Those aren't my numbers. Those are McKinsey's.

Put it all together, and this explains why Senator DICK DURBIN and I introduced a month or so ago what we call the TRAFFIC Relief Act. It raises about \$220 billion in new money, user fee revenue—revenue that can only be used for roads, highways, transit, and bridges, and not for anything else—not for foreign aid, not for wars, not for some other domestic program. But \$220 billion would go into roads, highways, bridges, and transit systems.

The legislation Senator DURBIN and I introduced permanently eliminates the annual highway trust fund shortfalls. Every year we run out of money. We run out of money in the transportation trust fund and take money out of the general fund to fill up the transportation trust fund. When the general fund runs out of money, we go around the world cup-in-hand borrowing money from people such as China to refill the transportation trust fund. Then, when we call China on their misbehavior—it might be manipulation, it might be dumping various goods and services on our country, it might be messing around in the South China Sea and other places—we say to them: You can't do that.

If I were them, I would say to us: We thought you wanted to borrow our money. We shouldn't be in that position. So the TRAFFIC Relief Act Senator DURBIN and I introduced raises an additional \$72 billion over 10 years for new transportation investments, over and above what would otherwise be generated. We could use that \$72 billion and more.

Not everybody can read the script here, but this one fellow here is saying:

"There is no way I can afford an increase in the gas tax." Then over here it goes on to say, as his car is towed away: "I spend all my money fixing my car because of these terrible roads." Think about that. There are a lot of terrible roads, highways, and bridges, and some pretty lousy transit systems as well. I spent money on my minivan last year replacing a tire that cost me about \$200 because of a problem with the road. I am not the only person. That happens to a lot of folks during the course of the year.

Those are all the posters I have. I will close by saying that on the Environmental and Public Works Committee, where I serve, we have reported out unanimously authorizing legislation that would authorize investments in transportation systems—roads, bridges, highways, and transits—for the next 6 years. It is actually very smart legislation. I give Senator BOXER and Senator INHOFE, the lead Democrat and the lead Republican on the committee, a lot of credit for leading that effort.

The House of Representatives is coming up with a 6-year transportation authorization plan that reflects in many ways what we have done in the Senate. To the extent that is the case, then we applaud their efforts as well.

Some may remember another poster I showed earlier, an enlarged photograph of a fellow wearing a cowboy hat as if he were asleep on his back. The cowboy hat was covering his face. He didn't look like the "Marlboro Man." He looked like a cowboy who had been ridden hard and put up wet. The caption at the bottom of the poster was talking about the hat: "All hat, no cattle," suggesting the guy wasn't a real cowboy. "All hat, no cattle."

It is great that we have sound, smart transportation authorization legislation, and we do. What is really disappointing is "all hat and no cattle" when it comes to paying for this stuff, not coming close to the amount of money we need to invest. We are not even close. I think we are going to look at a 6-year transportation authorization with maybe 3 years of funding. Some of that funding we create by borrowing and spending, which is like 8, 9, 10 years down the road and bringing it forward to pay for spending today. I don't feel good about that. I expect you don't either. In some cases we are taking money that is supposedly being collected for TSA, for aviation safety and our security in the skies, and using that money for roads, highways, bridges—taking TSA funding increases and using it for a couple of months on roads, highways, bridges, and improvements. We do the same thing with Customs fees along our border. People and a lot of commerce come across our border. Another idea we have used in the past is taking money out of the Strategic Petroleum Reserve, maybe from oil we bought for \$80, \$90 a barrel and turning around and selling it for half that price. Buy high and sell low—I

don't think that is a very smart strategy for investing in or for funding transportation projects. The American people deserve better than this.

Ronald Reagan, Eisenhower, and others—even Democrats—have said that the way we have funded transportation for years in this country and improvements to transportation—roads, highways, bridges—is a user approach. The folks and the businesses that use our roads, highways, and bridges ought to pay for it. That is what we have done. We have come to a place in this country where we are finding it hard to pay for the things we need and the things we want. Somehow we have to summon the courage to do what the American people expect us to do, which is to work together, to work smartly, and to make some tough decisions.

The legislation I alluded to that Senator DURBIN and I and another colleague or two have introduced and sponsored would raise the gas tax and diesel tax in this country. It hasn't been raised in 22 years. The gas tax, which 22 years ago was raised to 18 cents, because of inflation is now worth less than a dime. The diesel tax, which 22 years ago was worth about 23 cents, is now not even worth 15 cents. Meanwhile, the cost of concrete, asphalt, steel, and labor have all gone up, and we are still stuck with the same purchasing power from these user fees that we had 22 years ago. The math doesn't add up. As a result, we earn nearly failing grades for the transportation system that we have.

If we were to somehow wave a magic wand and the House and the Senate would come to their senses and pass by acclamation an increase in the user fee of 4 cents a year for 4 years, we would get to 2020 and we would have added 16 cents over that period of time to what is one of the lowest user fees on gas and diesel of any advanced nation in the world. I think we are No. 33 out of 34 of the OECD nations. In 2020, after an increase of 4 cents a year for 4 years was put in place, the cost to the average driver is the cost of a cup of coffee a week. Think about it. For the average driver paying an additional user fee of 4 cents a year for 4 years, indexing for inflation, the cost is the cost of a cup of coffee a week.

The question I would ask my colleagues—and I think we would ask most people—is this: Would you rather put up with really—one of my favorite, good senatorial words—"crappy" roads, highways, bridges? Would you rather continue to put up with that?

We could have a transportation system that we could be proud of for a cup of coffee. I don't think that is asking too much.

I don't have a magic wand. I don't think it is likely that my colleagues will rush to the floor after these remarks today and say: Let's do something real. Let's see if we can't get our roads, highways, and bridges making the kinds of grades that our pages are making doing their schoolwork while they serve us here in the Senate.

In the Bible there is a parable where some seeds were sown on the hard ground and never bore fruit. Some came up for a little while and raised up some plants but then died away in the hot sun. But others took root and grew a hundredfold. I am going to keep sowing these seeds, and hopefully someday soon—sooner rather than later—some of these seeds will fall on fertile soil.

Until then, I look forward to joining the Presiding Officer on the floor to keep this up until you say “uncle” and then we will change places.

I see my friend from Kansas—my many talented friend—here with our friend from Nebraska. I am tempted to wait and see what they have to say.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MORAN. Mr. President, in the morning we will vote on a budget agreement and I will vote no. I think it is useful and important for my constituents to understand my thinking and the basis on which I reach that conclusion.

In my mind, one of the most important issues that we face in this country today is the fiscal condition of our country. The amount of debt that we incur and the amount of debt that we continue to incur is a significant drag on our economy, on job creation, and, in reality, on the American dream.

It is an economic issue. At some point in time, if we don't get our fiscal house in order, we will pay a significant price. We can either deal with this issue in a gradual, incremental way, in which we set ourselves on a path to right, or we can wait for the crisis to occur, which I have no doubt will happen.

While it is often said that this is an economic issue, and fiscal issues matter to the country, I also would point out that this is not just an economic issue. It is a moral issue. The borrowing of money to pay for services and goods that the government provides the American people is a selfish circumstance in which we take the so-called benefits of government programs today and expect future generations of Americans to pay for those benefits. It is wrong economically for us to continue down the path of fiscal irresponsibility, but it is also morally wrong to expect someone else to pay for the so-called benefits we receive today.

As to this issue today, this Bipartisan Budget Act—this bipartisan effort to resolve the circumstance we find ourselves in because we face a debt limit problem—the problem is that if we don't do something, then we reach the debt limit. There are those who will argue that the consequences of not raising the debt ceiling are so dramatic, so damaging that we need to do that regardless of the fiscal consequences of doing so.

I come down on the side of fiscal responsibility, and I want to explain why. I want Kansans to know how I think about this issue. In fact, one of

the first letters I ever wrote to President Obama as a new U.S. Senator, March of 2011, was an explanation to the President that he needed to work with Congress, and I offered to work with the President and the administration and my colleagues in the Congress and the Senate to see if we couldn't find a solution so that when we raised the debt ceiling, we actually did something that would change the course, the path of spending we are on.

I explained to Kansans, by publishing that letter and explaining my comments in the letter to the President, what I believed was important, most important. Unfortunately, since 2011 we are no more on a course of fiscal sanity than we were when I wrote the letter to the President.

Here is the point I want to make. If we give up the leverage, the opportunity that this issue presents to us as Members of Congress, to force us to do things that we apparently don't have the will, the courage, the political desire to do, how do we ever get it done? Again, I guess there will be editorialists—certainly across the country and perhaps a few in Kansas—who will say that we need to raise the debt ceiling because it is irresponsible not to. Isn't it also true that it is irresponsible simply to raise the debt ceiling every time we need it? If we don't take advantage of the circumstance we are in to force ourselves to do the things that need to be done, we are irresponsible.

I read a lot of history. For a few years I have studied our country as a private citizen, and I have been involved in the political process in Washington in trying to resolve problems our country faces. Here is an observation: Things have changed over time. It used to be a bipartisan desire, a bipartisan understanding that balancing the budget was important. One of things that has changed over time is there no longer seems to be the desire on the part of many in Congress—many don't see it and in my view Democrats in particular don't see deficits as a bad thing. We look the other way.

Maybe in days gone by, when there was broad consensus from Republican Presidents and Democratic Presidents that balancing the budget was something that mattered, that reducing the debt at least over time was important, that when we incurred expenditures going to war that we paid for them, that was something that was generally believed across the country by the vast majority of Americans and by the vast majority of Members of Congress, regardless of what political party they associate with.

That consensus, that drive, that insistence that we do that no longer exists, which highlights for me that the necessity of using this issue of whether the debt ceiling should be raised to determine what we should do about reducing spending, reducing the debt, figuring out what the balance is between taxes and expenditures is all the more important.

If I had any faith that this Congress, this President were going to deal with the deficit, regardless of what happened with the debt ceiling, then I wouldn't be interested in using the debt ceiling as a tool to force change in behavior in Washington, DC, but unfortunately I have no faith that there are enough people here who care enough about the deficit to do something about it unless we are forced to do so.

At the moment, the only tool I have is to insist we use this opportunity, in which we are requested to raise the debt ceiling, to change the course our country is on in regard to spending and deficits. Again, the argument may be by some it is irresponsible. In fact, I have heard so many times that all we are doing is authorizing the borrowing of money to pay for the things we have already encumbered.

Wouldn't it seem a better solution for us to quit encumbering over time rather than coming after the fact and saying let's raise the debt ceiling? But the reality apparently is there is no will to do that. We can say it is irresponsible not to raise the debt ceiling. We can say we are only paying for the things we have already decided to spend money on, but if that is the only thing we say, we never take it to the necessary step of doing anything about the problem.

It is irresponsible not to use this opportunity to force us to behave in ways that are good for the country today, that are economically solid and sound, that are morally correct. Borrowing money ad infinitum is not an option for this country under either economic or moral circumstances.

It is irresponsible for us to once again decide we will try to solve this problem later. I have always thought that the most important political issue we face, the one that has been most important to the country since I was elected to the Senate, was how do we make certain that the economy is growing, there are job opportunities, people feel secure in their employment, they have the opportunity to advance their careers, and they have the sense that they are saving for their kids' education, that they are saving for their own retirement. This issue of the fiscal condition of our country inhibits the ability for that economic security to be available to Americans.

I wish to conclude by saying we need to do what is responsible. What is responsible is making certain we pay our way and that we don't expect others to do so in the future. To only say that we have to reach this agreement in order to avoid greater challenges in our country is to walk away from something that I think is a primary and important responsibility of Congress and the President. It is unfortunate.

In my time and service in the Senate, President Obama has been the President, but I have seen no political will on the part of this administration to do anything about the long-term consequences of spending more money



than we have. That means we have no choice but to insist that something be done, and the only opportunity before us is this question of whether the debt ceiling should be raised without corresponding reductions in spending.

In my view, those reductions in spending take priority. It is important. Our primary responsibility as American citizens, as an American citizen, not just as a U.S. Senator but all of us as American citizens—we have a responsibility to do two things for the future of our country: protect and preserve the freedoms and liberties guaranteed by our Constitution and make sure the American dream is alive and well so future Americans have the chance to pursue their dreams in this country.

To continue to borrow money to put our country's fiscal condition in jeopardy once again means we will have failed that responsibility because the spending and borrowing of money inhibits our personal liberties and freedoms and reduces economic opportunity, the American dream for all Americans.

I will vote no.

I yield the floor to the Senator from Nebraska.

The PRESIDING OFFICER. The Senator from Nebraska.

#### EQUAL PAY

Mrs. FISCHER. Mr. President, I rise to respond to the minority leader's earlier comments today regarding equal pay. Pay discrimination is wrong. It is also illegal. Republicans and Democrats alike believe that violations of the Equal Pay Act and the Civil Rights Act should be punished to the full extent of the law.

Let me be crystal clear. The lack of consensus on proposals like the Paycheck Fairness Act does not mean that Republicans do not support the principle of equal pay. I am tired of hearing that Republicans don't have any new ideas on this issue.

I have offered legislation, the Workplace Advancement Act, which would prohibit retaliation against employees who discuss their wages. My proposal has a strong record of success, and unlike other proposals out there, it has bipartisan support.

In April of 2014, before Republicans had the majority, I, along with Senator AYOTTE, Senator COLLINS, and Senator MURKOWSKI, offered an amendment to the Paycheck Fairness Act that would make it illegal to retaliate against employees for seeking or sharing information on their wages. Unfortunately, that amendment was not considered.

This March I offered a similar amendment to the budget that would reaffirm and strengthen equal pay laws and make it illegal to retaliate against employees for seeking or sharing information on their wages. This non-retaliation measure was adopted to the budget resolution with bipartisan support. The legislative progress of my efforts to protect women in the workplace from retaliation for trying to en-

sure fairness in pay suggests a clear bipartisan way forward in this Chamber.

When women are fighting to be paid what they are worth, they need to know what they are up against. Knowledge is power, especially in the case of equal pay. Ensuring transparency will make it easier for workers to recognize pay discrimination and ensure that they are being paid fairly. How can workers negotiate for fair pay when they don't know how their industry or their employer compensates other workers? How can a woman know that discrimination is taking place if she is prohibited from asking about what other workers are making?

I want to empower women to be their own best advocates, secure in the knowledge that they have every tool available to them as they negotiate for the wages they deserve. It is time to remove this issue from our election-year politics. Let's have a real conversation about a substantive policy change that will improve the lives of all workers. I hope the Senate will soon consider my legislation because I believe Republicans and Democrats can come together on this issue and we can make a real, needed difference in ensuring equal pay.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

Mr. DAINES. Mr. President, prior to being elected to the U.S. Senate, I spent 28 years in business. When you are in business, you know you can't keep spending more money than you are taking in or you go broke, you go out of business. I was elected to help get our country back on track and get the reckless spending and record debt of Washington, DC, under control. In fact, the very first bill I introduced in the U.S. Senate was the Balanced Budget Accountability Act. It is pretty simple. It requires that the Members of Congress pass a balanced budget or they don't get paid. The people of Montana deserve real solutions to address the failures of Washington, DC, not more budget gimmicks and backroom deals. In fact, Montana's farmers will suffer because of this budget deal. The crop insurance program was gutted as a way to make this deal work. Where was the voice of Montana? Where was the voice of rural America as this backroom deal was cut?

This deal takes our Nation in the wrong direction, and that is why I am voting no. This budget deal would increase our spending by \$117 billion over the next 2 years and raise the debt limit through 2017. How big are these numbers? We are currently at about \$18.1 trillion of debt. By the end of this 2-year agreement, sometime in 2017, we will be above \$19 trillion. How big is 1 trillion? Do you know how long it takes to count to 1 million? If we were to count to 1 million 1 digit per second, 24 by 7, it takes less than 30 days to count to 1 million.

How long does it take to count to 1 billion? To count to 1 billion would

take 32 years. Then the question is, How long would it take to count to 1 trillion? We are throwing around these numbers without much sense of how big they truly are when we are talking about \$18 trillion—and soon to be \$19 trillion—worth of debt. How long would it take to count to \$1 trillion? It would take 32,000 years.

It is irresponsible for Washington to increase the limit on the Nation's credit card while at the same time busting the budget and increasing government spending with the false promise of far-off savings and new revenues that will never materialize. It is time that Washington, DC, takes a page out of Montana's playbook and stops spending more than we are taking in. It is time for commonsense solutions that protect the taxpayer and make elected officials accountable for delivering results to the people they serve because Americans deserve a thoughtful and open discussion, not one with backroom deals, about how to best support the Nation's priorities while also cutting wasteful spending and reining in this national debt. The current budget fails to provide a more secure future for the next generation of Montanans.

I thank the Presiding Officer and yield back my time.

The PRESIDING OFFICER. The Senator from Wyoming.

#### ENVIRONMENTAL PROTECTION AGENCY

Mr. BARRASSO. Mr. President, back in August several western States and Indian tribes suffered an enormous environmental disaster. It has been called the Gold King Mine spill. In this disaster, the Environmental Protection Agency spilled 3 million gallons of toxic wastewater into a tributary of the Animas River in Colorado. This plume of toxic waste threatened people in Colorado, New Mexico, and Utah. It stretched to the land of the Navajo Nation and the southern Ute Indian Tribes.

Last month, I chaired a hearing of the Indian Affairs Committee that looked at the spill. The EPA was there to testify. The EPA claimed that it was taking full responsibility, and then it did everything it could to deflect actual blame. They said they were taking full responsibility; then they did everything they could to deflect actual blame.

The agency administrator actually told our committee that this spill was inevitable. She said it was "inevitable." Does that sound like someone who is actually taking full responsibility?

Well, last week we got the results of the investigation by the Department of Interior about what actually happened at the Gold King Mine. On Friday the Washington Post reported: "EPA gets blame for mine spill into rivers." Well, according to this report, the EPA's crew didn't take engineering into account when it was working on the mine. It didn't take engineering into account. The agency didn't understand that waters in these mines, according

to the report, “can create hydraulic forces similar to a dam.” How could the experts from the EPA, the U.S. Government’s Environmental Protection Agency, not know that? The report also said that “the conditions and actions that led to the Gold King Mine incident are not isolated or unique, and in fact are surprisingly prevalent.”

Remember, the EPA said it was inevitable. This spill was inevitable only because the EPA is so inept, so negligent, and so incompetent that it was inevitable the agency would cause a disaster like this someday, and now they have. It is inevitable that the agency is going to keep making the same mistakes unless something changes at this irresponsible, incompetent agency.

What has changed? It has been almost 3 months since this disaster happened. The Environmental Protection Agency has not named a single person whom it is holding responsible for poisoning the river. If the EPA’s incompetence is “surprisingly prevalent,” as the investigation found, you would think that this agency should be trying to get its house in order before it takes on new jobs. That is not what the Obama administration is doing. Oh, no, it is not slowing down at all. It is not slowing down in its quest for power or in finding more ways that it can control what people do.

On Friday, the Obama administration published the final rule for what it calls its Clean Power Plan. This regulation would create more Washington control over how electricity is produced across the country. That very same day 26 States, including mine and that of the President’s, filed lawsuits in Federal court to stop this disastrous rule. These States say that the Environmental Protection Agency went far beyond anything that the law allows and far beyond anything Congress ever intended. I completely agree. This rule is too expensive, it is too extensive, and it is too extreme.

The EPA does have a job to do, and it is failing dramatically at its job. Instead of going back to basics and doing its job right, the EPA wants more power, more control, and less accountability. This so-called Clean Power Plan will cost billions of dollars. According to one estimate, it will destroy the jobs of more than 125,000 Americans. None of that seems to matter to the President of the United States or his administration and the EPA. They are driven by ideology, not by the facts, and their ideology is driven by their desire for more control. That is why it is so urgent that we focus our attention on all of the ways this Washington bureaucracy is trying to restrict people’s freedom and take more control for themselves.

The Obama administration isn’t even satisfied telling States how to get their energy. Now the Obama administration wants to be involved in making these decisions for the whole world. It is trying to negotiate a climate change treat-

ty that will impose broad new limits on American energy. This treaty will also do incredible damage to the American economy. At the same time, the administration wants to pay billions of American taxpayer dollars—hard-earned dollars—to other countries. In return for these other countries adopting green energy sources like solar panels, the Obama administration will help prop up their economies, not at their expense but at America’s expense. It wants to do all of this behind closed doors without any oversight from Congress or the American people.

The administration wants to make sure that nobody can do anything to stop it until after it is too late. It wants to tie the hands of the American economy, dole out billions of taxpayer dollars, and not even ask the American people if that is what they want. The U.S. Congress cannot stand for that. It is the wrong choice for America, and it is the wrong choice for the rest of the world as well.

There was an op-ed in the Wall Street Journal last Thursday by Bjorn Lomborg. He is the director of a non-partisan international group called the Copenhagen Consensus Center. The headline is “This Child Doesn’t Need a Solar Panel.” It has a photo of a child in a slum in Mozambique. The author points out that the Obama administration is wrongly focused on the kind of climate change payoff that the President is promoting.

In the op-ed he writes:

This effectively means telling the world’s worst-off people, suffering from tuberculosis, malaria, or malnutrition, that what they really need isn’t medicine, mosquito nets, or micronutrients, but a solar panel. It is terrible news.

He goes on:

In a world in which malnourishment continues to claim at least 1.4 million children’s lives each year, 1.2 billion people live in extreme poverty, and 2.6 billion lack clean drinking water and sanitation, this growing emphasis on climate aid is immoral.

That is the assessment coming out of the Copenhagen Consensus Center. The President’s actions are immoral. There are some very real dangers facing the United States and other countries today, such as the threat from global terrorists and from countries like Russia, Iran, and North Korea. There are desperate humanitarian crises around the world. That is where the Obama administration should focus its foreign policy.

Here at home, the EPA should be cleaning up the environment, not poisoning America’s rivers and lakes. Until the Obama administration gets its priorities straight, Congress will have to act to stop it.

Republicans have introduced legislation to block some of the administration’s most egregious new rules. Senator ERNST has filed a resolution against the so-called waters of the United States or the WOTUS rule. I have introduced legislation to replace the WOTUS rule with one that actually

protects waterways while preventing Washington’s takeover of nonnavigable waterways. Senator MCCONNELL and Senator CAPITO have filed resolutions against the extreme limits on powerplants. Senator FLAKE has filed one on the burdensome new ozone standard.

We are going to keep a spotlight on this administration as it negotiates this new climate change treaty. We are going to stop it from committing this country to another bad deal—and the rest of us will be paying for that bad deal long after President Obama is out of office.

Congress is going to hold the Obama administration accountable—accountable—and rein in the Washington bureaucrats before they do additional damage.

Thank you, 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. FLAKE. 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. FLAKE. Mr. President, I rise to express concern about the budget deal that seems to have been reached that we will vote on later today or tomorrow morning.

This Senator has a broader concern that we simply aren’t cutting spending and that we aren’t holding to the budget agreements we made. What we are doing here is getting rid of or extending the budget caps on the budget control agreement, spending about \$80 billion more than we would have otherwise.

We have told ourselves that we have offset this spending. Here is my concern. It is clear that we haven’t. Some of the so-called offsets are simple budget gimmicks. Many have been tried and true in the past, such as just extending the sequester a little longer. One that is of particular concern was raised earlier today. There is in this budget agreement a modest crop insurance savings provision. In farm bills over the past few years, we have tried to rein in some of the massive subsidies and waste that have gone on in terms of direct payments and some of the other methods. A lot of that funding has gone toward crop insurance, and it is quite a generous program. In fact, the taxpayer subsidizes crop insurance on average of I think about 70 percent. Seventy percent of the premium is paid for by the taxpayers.

What we are doing in this agreement or what we have tried to do in previous farm bills is say that the savings—if we reform these programs through so-called standard reinsurance agreements, or SRAs, if we realize some savings, than we plow those savings into the deficit or against the deficit. But what came out of the last farm bill was a provision that said if there are any

savings in this program, they have to stay within the program.

Now, we don't have that type of provision in just about any other program of government, where if you realize some savings by reform, you have to spend those savings on the program itself, just in another way. That doesn't save the taxpayer any money overall.

In this case, we have tried to get those savings, but the farm bill said no, it had to be plowed back into the program. So the reform that was agreed to in this budget deal was to do what we had been trying to do—to make sure that any savings that result from a standard reinsurance agreement be plowed into or be put against the deficit to actually save some money.

There is also a small provision which set a target rate for crop insurance companies at 8.9 percent rather than the 14.5 percent that it is currently at now. Opponents of this deal are saying that this minor change will gut crop insurance. I don't think that is true at all. Crop insurance is far from a suffering industry. It is a significant driver of the cost of our Nation's farm program.

Government costs for crop insurance have increased substantially over the decades. In fact, after ranging from \$2.1 billion to \$3.9 billion during fiscal year 2000 to fiscal year 2007, costs rose to a total of \$14.1 billion by fiscal year 2012. In fiscal year 2013, the total costs were \$6 billion, and in fiscal year 2014, \$8.7 billion. Taxpayers are footing about 70 percent of the total costs of the program and 60 percent of all premiums paid.

This change would not impact the coverage that is received; it would simply trim some of the profits. Some say that will drive crop insurance out of business. I don't think so. There isn't a crisis here when taxpayers are footing 60 percent of the premiums and 70 percent of the overall cost of the program. Typically, it is the type of program the private sector would like to get into. If there is a problem with people fleeing the program, it hasn't been demonstrated. This is not an industry under siege; it is an industry which has seen dramatic expansion and which now faces a slight trimming of its profits. Yet we are saying that we can't stand it. What we are saying is that we are going to undo that deal as part of the budget deal before we even vote on the budget deal.

Earlier today on the floor, there was an agreement reached with the appropriators in the form of a colloquy that in the omnibus coming up in a couple of weeks, we would remove that provision, that savings of some \$4 billion or \$8 billion would simply be made up somehow by extending the sequester.

This reminds me of the last budget agreement we had, the Ryan-Murray budget, where there was a provision to very slightly adjust the cost-of-living increase for Active-Duty military retirees. This is something that the mili-

tary actually asked us to do because they wanted to take a portion of the savings and put them into other areas of the military, but also it would realize a savings for us. This was a small adjustment for just Active-Duty military retirees who retired before the age of 62. If they made it all the way to 62, they could recover all the savings that were there for the COLA adjustment.

Three months after the agreement, because of lobbying by one particular small subset of those receiving these benefits, we reversed that change. Just 3 months after we signed the deal, we reversed part of the deal.

In this case, what we are doing with the Crop Insurance Program is we are not even waiting 3 months after the deal. We are not having a separate vote.

That vote, by the way, was 97 to 3 to reverse it, just because of some lobbying against it. I was one of the three opposed to reversing the program for the slight cuts.

But in this case, the Crop Insurance Program in this budget deal, we aren't even waiting until the ink is dry. In fact, we aren't even waiting until the ink is applied to the paper signing this deal. We are reversing this change before we even pass the deal. We are agreeing that in the omnibus in a couple of weeks, we are going to reverse these savings, we are going to reverse these offsets.

I had a lot of problems with this budget deal prior to today, but the more I look at this and the more I learn, I don't know how we can vote for this deal.

I don't know when we are going to get serious about our deficit and our overall debt. If we can't do it now, when will we do it? If we can't get serious now, when are we going to get serious? If we have a budget agreement with the BCA now and we can't stick to it now, what makes us think we are going to in the future?

It makes me think, if we are reversing changes we made to get some savings before we even have the deal signed, what are we going to do a month after? What are we going to do in the next month? Are there other provisions in the other so-called offsets that we are going to address and say: We did not really mean it; we are going to reverse that as well.

It is very discouraging to see what is happening with the budget. We cannot continue to simply spend, spend, and spend and just ignore the real offsets that are needed. I would have been fine with spending additional money on nondefense discretionary if we had been serious about going into entitlement spending and the mandatory spending and finding real savings, savings that were significant. We have a couple of reaches into mandatory spending but not significant reaches. Who knows whether they will last or whether we will reverse them as well in a couple of months.

This is very discouraging. I will vote against this, and I would encourage my

colleagues to vote against this agreement as well.

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. SHELBY. 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. SHELBY. Mr. President, I rise this afternoon in strong opposition to the 2-year budget agreement before the Senate. This so-called budget deal was negotiated at the last minute. It is now being rushed through Congress with inadequate time for proper scrutiny. While the devil is typically in the details when Congress negotiates these eleventh-hour deals, the flaws in this agreement are evident from merely taking a glance at what is in it.

This budget agreement would increase the current Budget Control Act spending caps, which we enacted in 2011 in an effort to restrain Washington spending, by approximately \$80 billion or more over the next 2 years. On top of raising the caps by \$80 billion or more, this deal also adds \$32 billion in additional spending totals. That is \$112 billion in new spending over the next 2 years—yes, \$112 billion in new spending over the next 2 years.

Not only would this agreement allow for increased spending, it would also raise the debt ceiling through March of 2017—yes, through March of 2017—where we can borrow more money, adding an estimated \$1.5 trillion of borrowing.

President Obama has continually called for more government spending and a blank check, to raise our Nation's debt limit with no corresponding reforms or spending cuts. The deal before us today represents a victory for President Obama and his liberal allies, not for the American people. As long as Washington continues to spend far beyond its means and remain on the same unsustainable track, our economy will suffer.

While I believe we should safeguard the full faith and credit of the United States, I also believe we should do so in a manner that puts our Nation on a more responsible fiscal path. We cannot—I repeat, we cannot continue to raise the debt limit without taking responsible steps to tackle the underlying problems facing our Nation: wasteful government spending.

Taking on more debt to facilitate more government spending is not the answer and is simply unacceptable.

Hard-working Americans in Alabama and across the country are looking for Washington to have serious conversations about how to tackle our country's \$18 trillion debt that is growing. Instead, this deal before us continues the never-ending cycle of bad policies that grow our bloated government, impede job growth, and perpetuate a stagnant economic recovery.

I believe our constituents deserve better than a last-minute, flawed budget deal that not only exacerbates our debt crisis, but it adds more and more to our children's debt. There is absolutely no excuse for continuing to increase our Nation's debt. Americans are frustrated that Congress continues to push policies that empower Washington instead of the people of this great country. This deal is more of the same. Borrow more, spend more, be accountable less and less. That is why I adamantly oppose this budget deal and will continue to fight for a smaller, more effective government that puts the American people first.

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. MARKEY. 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. MARKEY. Mr. President, I come to bring a very important subject to the attention of my colleagues.

"Sequestration" is just a fancy word for cuts, mindless cuts. That is why I have always opposed sequestration. This thoughtless, across-the-board approach to the Federal budget has harmed States across the country, but its effect on Massachusetts has been disproportionate.

Sequestration significantly reduced Federal research and development funding for science and medicine. That is Massachusetts. Investments in those fields are critical to our economy with its world-class universities, medical centers, industry-leading bio- and high-tech companies, and clean-tech industries exploding with new technologies. This is the future of our country. This is the future of the 21st century. This is what we must be investing in: research and technology, research and science.

I am pleased that for the next 2 years this budget agreement will give us desperately needed relief from sequestration and will extend the debt limit. This legislation will also protect vulnerable Americans who rely on Medicare and Social Security. It will ensure that for the next 7 years, millions who depend on the Social Security disability program do not face a benefit cut. The legislation will also help millions of seniors by avoiding a Gronk-like spike in Medicare premiums. But this bill comes with a price: more unwanted calls and texts to Americans.

Back in 1991, consumers were constantly harassed by unwanted telemarketing phone calls that interrupted their family dinners. In 1991, my bill, the Telephone Consumer Protection Act, stopped these intrusive and unwanted calls from telemarketers.

Yes, this budget being debated today actually makes it easier to harass consumers on their mobile phones. That is wrong, just plain wrong. Current law

contains important safeguards against abusive practices. Before a caller can make autodialed or prerecorded calls or send texts, that caller must have the consent of whoever is being called.

Section 301 of this legislation before this body today removes that precall consent requirement if someone is collecting debt owed to the Federal Government. The provision opens the door to potentially unwanted robocalls and texts to the cell phones of anyone with a student loan or a mortgage, calls to the cell phones of delinquent taxpayers, calls to farmers, to veterans, or to anyone with debt backed by the Federal Government.

That is why, once the Senate takes action on this budget bill, I plan to file a bill that strikes that provision. I also intend to ask the majority leader for a vote on my bill at the earliest possible time. We must protect American students and consumers.

That rollback of protections against abusive telemarketers is not the only problem with this legislation. The bill also would sell off part of our Nation's oil stockpile simply to raise revenue. The Presiding Officer is an expert in this area. Our Strategic Petroleum Reserve is there to protect American consumers and our security in the event of an emergency, but now it is increasingly viewed as a piggy bank to fund other priorities.

If we are going to sell oil from our strategic reserve, we should at least do so strategically to get the best deal for our taxpayers, but the budget deal that we are considering would require the sale of a specific amount of oil each year from 2018 to 2025 regardless of its price.

When the majority attempted to use similar Strategic Petroleum Reserve sales to fund the highway bill, Senator CASSIDY of Louisiana and I authored a bipartisan amendment to fix the problem. Our commonsense amendment gave the Secretary of Energy flexibility to sell more oil when prices are high and thereby maximize the return for taxpayers.

Unfortunately, that bipartisan fix is not part of this legislation, but I will continue to work with Senator CASSIDY on this important issue. You know that we are right when a conservative Republican from Louisiana and a liberal Democrat from Massachusetts agree on an issue. It is foolish to buy high and sell low. That is essentially what this legislation is now mandating.

Rather than saying to the government that you have to find just the right time when the price of oil is high to sell it over the next 7 years, it says sell it on this schedule regardless of whether or not you are going to get a good return on your investment. That is not the way this government should be operated. We should be using some common sense, especially since the Senator from Louisiana and I had already drafted the legislation and had already attached it to the Transportation bill when that was going to be

the place where they use the Strategic Petroleum Reserve money.

This is a very bad provision that is in a bill which is going to pass—and it should pass—but this is a flaw. It is going to lose a lot of money if it continues on with the language that is in this bill.

I am going to continue to work with the Presiding Officer, the Senator from Louisiana, so that we can correct it. It will save a lot of money if we do it the correct way.

We need to ensure that we have a rational approach to budgeting—unlike sequestration—which will finally allow us to get back to the business of legislating instead of lurching from crisis to crisis. That is not possible unless we begin a new era in this institution. Hopefully, that is what today and perhaps tomorrow will represent. Maybe we can work together again across the aisle the way I think all Americans want us to. I pledge to work on these two pieces of legislation going forward to correct real flaws that are built into this legislation.

Thank you for allowing me to have the floor at this time. I hope the Presiding Officer and I can partner to correct at least one of the problems in this bill.

I yield back the remainder of my time.

Mr. HATCH. Mr. President, before we move to a vote on the Bipartisan Budget Act of 2015, I want to take a moment to discuss the part of the bill that is intended to be an offset for partially lifting the budget caps established under the Budget Control Act.

Under current law, large partnerships are subject to a special set of tax procedural rules. They are known as the TEFRA partnership rules because they were included in the Tax Equity and Fiscal Responsibility Act of 1982.

These rules are complex and unwieldy for both the taxpayers and the Internal Revenue Service. Most tax experts agree that these rules are in bad need of reform. I agree.

The Treasury Department, former House Ways and Means Committee Chairman Dave Camp, and Congressman JIM RENACCI have all put forward reforms of the TEFRA partnership rules. And, on the Senate Finance Committee, we have been looking at those reforms and other proposals as well. We have also held discussions with the Ways and Means Committee, as well as tax professionals and members of the business community. These efforts, so far, have been bipartisan.

Because any such reforms would have a significant impact on a large number of taxpayers, we were prepared to tackle this problem the same way the Finance Committee has dealt with other widely applicable tax compliance measures. Specifically, we had planned to release various discussion drafts that would be open for public comment and subsequent modification. That is the way the Finance Committee handled issues like stock basis reporting and

merchant credit card reporting, and the process has worked well in the past.

However, as these efforts were ongoing, bipartisan leaders from both the House and Senate identified TEFRA partnership reforms as a potential offset for this budget legislation. As per usual, the Finance Committee was consulted, and we provided assistance in drafting the offset language. I am pleased to say that many of our recommendations were adopted in the final version of the bill.

However, for those who might be concerned about this process, it is important to note that the effective date for the TEFRA partnership reforms in the budget bill is delayed for 2 tax years. In the coming weeks and months, the Finance Committee will treat the TEFRA partnership reforms as a work in process. As planned, we intend to hear comments and will be prepared to address issues raised by taxpayers, especially those issues that may not have been anticipated.

As an example, we have heard from stakeholders who were concerned that particular partner-level tax attributes that may be known by a partnership, such as certain passive losses under tax code section 469, should be identified in the legislation for purposes of modifying the so-called imputed underpayment amount with respect to the partnership.

In sum, I want the record to be clear: The TEFRA partnership reforms are not effective for a couple of years. We plan to use that window to properly address problems raised by affected parties.

Mr. LEAHY. Mr. President, for months, Democrats have called on Republican leaders in both the Senate and the House to work with us to avert the economic crisis that default would have wrought on this country. With our backs against the wall, congressional leaders and the White House have reached an agreement to not only raise the debt ceiling—ensuring that our government can pay its bills—but to limit the devastating impacts of sequestration for the next 2 years.

This agreement is far from perfect. This deal uses funding identified and supported by the Senate to extend the critical highway trust fund. The trust fund has limped along, one short-term extension after another, for far too long. Despite the progress made on advancing a 6-year authorization, we will now have to move back to square one to find a way to pay for it. I am as concerned now as I was in July that we are stealing from ourselves by selling off strategic oil preserves at a time of low prices when we purchased at a time of high prices, and I am deeply concerned that this deal raids the Crime Victims Fund of \$1.5 billion. Democrats and Republicans alike have long supported the Crime Victims Fund—unique in that it comes not from taxpayer dollars, but from penalties and fines paid by the criminals themselves. This fund

was set up to be a dedicated resource to help victims of crime. Given the ongoing level of unmet need in that community, it is simply unacceptable that this fund was raided to pay for unrelated things. This one-time rescission must not become a new precedent. We cannot turn our backs on the victims of crime.

Nonetheless, I support the Bipartisan Budget Act. It is the product of compromise that will offer a measure of stability and help pave the way for an omnibus appropriations bill to keep our government open past December 11. But this is only the first step. While we will avert a calamitous default next week, we now must undertake the difficult process of crafting an omnibus spending bill that will meet our financial obligations and properly invest our resources. We have come together—across the aisle and across Congress—to support this budget deal. Let's not squander those bipartisan efforts in the next phase by derailing the appropriations process with needless partisan policy riders intended to do nothing more than score political points.

Mr. WYDEN. Mr. President, I would like to address a small but important aspect of the hospital outpatient policy that is included in the budget agreement. The legislation does not address what happens to outpatient departments that are currently under construction. The bill allows current outpatient departments to continue to receive the Medicare outpatient payment rate because hospitals rely on those payments. Hospitals that want to build new facilities in the future go in with "eyes open" because they know they will not receive the higher outpatient rate. But that is not the case for outpatient departments that are currently being constructed as we speak. These hospitals made the decision to build, understanding that these facilities would receive the outpatient rate—they had no idea that Congress would be voting on this policy as part of this bill at this exact time. Facilities under construction should be treated the same as current facilities. I think it is unfortunate that this was not addressed when the bill was drafted, and I hope my colleagues will join me in ensuring this issue is addressed, either through regulations or through a technical legislative fix.

Mr. REED. Mr. President, I come to the floor today to voice my support for the Bipartisan Budget Act of 2015. This is a credible compromise that accomplishes three key objectives: it prevents an economically catastrophic default, establishes 2 years of rational budgets for defense and domestic priorities, and provides our military with the resources they need without an overreliance on the emergency war fund accounts.

Specifically, the agreement takes the threat of default off the table until March 2017 and provides \$80 billion in sequester relief over the next 2 years, evenly split between defense and do-

mestic spending. Throughout this process to reach a budget agreement, I have urged my colleagues on both sides of the aisle to work together to find a balanced, responsible way to address defense and domestic spending—because they are both essential to the security and financial well-being of the American people. And while this bill relies on emergency war fund accounts, it more accurately reflects the costs of our overseas military operations and provides the Department of Defense with some additional budgetary stability and flexibility to plan for the future. With the sequester relief that the bill provides, we will have greater fiscal certainty and the additional resources we need to maintain a strong defense and economy.

The bill also contains offsets that improve tax compliance among large partnerships and reforms federal crop insurance. These are the sorts of new revenue and spending cuts we should see more of instead of revenue and spending cuts that come off the backs of seniors and the middle class.

Now, while I would prefer to eliminate the sequester all together, this compromise sets an encouraging precedent for future sequester relief, which is balanced and allows the government to keep making investments in areas that spur economic growth like education, transportation, health care, and defense. And that is why it's important for the Senate and House Appropriations Committees to quickly reach a consensus and produce a detailed spending package before the expiration of the continuing resolution on December 11.

I urge my colleagues to quickly approve this budget agreement and move on to a bill to fund the government.

Mr. KAIN. Mr. President, I want to speak about the compromise budget legislation we are debating on the Senate floor. This is a good deal that covers so many important topics: sequester relief for defense and nondefense accounts, the debt limit, Medicare premiums, Social Security Disability Insurance, and many more items. These are all items the Senate needed to address, and I am happy to support this bipartisan budget accord.

In my 3 years in the Senate, I have done everything I can to address the nonstrategic sequester cuts that have been hurting our national security and economy. When I was sworn into the Senate and put on the Budget Committee, we were about to let go into effect the arbitrary sequester cuts set forth in the Budget Control Act of 2011. So in 2013, we got to a bipartisan Murray-Ryan budget deal. I supported that deal because it provided sequester relief for 2 years and gave certainty to businesses and families, teachers and shipbuilders, around the Commonwealth and Nation to plan for their needs.

Since 2013, we have seen the uncertainty presented by short-term budget deals and continuing resolutions has

actually been shown to harm the economy. In addition, the world is a very different place now than it was in 2011 when the Budget Control Act passed, and we need to adjust our budget policies to respond to today's challenges, from the rise of ISIL to increasing cyber attacks.

The deal before the Senate today provides more than \$100 billion in sequester relief over 2 years for both defense and nondefense accounts, which will provide much-needed certainty to Virginia's families while helping businesses and the defense community better plan for the future. It also prevents certain Medicare beneficiaries from experiencing a significant increase in premiums next year and protects disabled Americans from a potential 20 percent reduction in benefits. It raises the debt ceiling, avoiding a default on our debt and disaster in financial markets. The agreement is not perfect. But that is the nature of compromise.

Everyone can find something in this bill they dislike, and that is usually the marker of an honest compromise. I wish we were able to fully replace sequestration and reach that long-term budget deal which would fully replace sequester cuts, make Medicare and Social Security solvent over the long term, and reform the Tax Code. But that budget deal will take time to negotiate, and we face government debt default in less than a week. Given that reality, this compromise is a dramatic improvement over a government debt default, across-the-board budget cuts, and crisis budgeting.

I especially applaud the fact that we will do a 2-year budget deal, just like we did when we reached the Murray-Ryan compromise in December 2013. Two-year budgets provide certainty, and that has a significant positive impact on the economy. I came to the Senate a strong supporter of 2-year budgeting due to my experience as Governor, and it is good to see others in Congress finally embracing this helpful reform. I support this budget compromise and look forward to moving this bill to the President's desk.

Mr. MARKEY. 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. LANKFORD. 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. LANKFORD. Mr. President, people in my home State are trying to figure out what they missed on this budget deal. It was announced by the White House today that this is a great job-creating achievement, but all they see is more spending and no change in the status quo.

Everyone throws around numbers, but here is the one number people in my State want to hear. How much does it save the American taxpayer? Put an-

other way, does it help us to balance our budget or to address the debt problem?

We need two things to be able to balance our Federal budget: spending restraint and a growing economy. Right now we have neither. We have \$18.5 trillion in debt and over \$430 billion in deficit in this year. To start paying down our debt, we have to first balance our budget.

The Presiding Officer knows very well that we passed a budget earlier this year that took the next 10 years to be able to balance our budget. Let's play pretend for a moment in this body. Let's say we put that budget into place, and over the 10 years we work down a little bit each year and get to a balanced budget 10 years from now. Let's take a guess in this body, and let's say the year after that we had a \$50 billion surplus. It took us 10 years to get back to balance, and in year 11 we had a \$50 billion surplus. How many years would we have to maintain a \$50 billion surplus until we paid off our debt? The correct answer would be: 360 years in a row we would have to have a \$50 billion surplus to pay off our debt. We need to start doing budgets that actually deal seriously with our debt and deficit.

Today, our GDP growth was announced again. It is a whopping 1.5-percent growth in the American economy. With new regulations on every business, the assault on American energy, new loan restrictions on banks, and ObamaCare cost increases—including in my State of Oklahoma, where premium increases are hitting 35 percent for next year on individuals—people know inherently that if you keep overspending, it limits our economic growth in America. We have fewer jobs because of it. It is harder to start a business because of it.

The President keeps saying if we will just spend a little more, we will have more jobs. But people don't believe it anymore because they have seen it is not true. After 6 years of "if we just spend a little more, spend a little more, this will get caught up" we still have a 1.5-percent growth rate in the American economy. That is pathetic.

While we have a great number of terrific people in the Federal workforce, people inherently know if you just keep adding jobs in the Federal workforce, it hurts our economy because it continues to take money out of private hands and puts it into government control. What people want is not unreasonable. They just want a plan. People want to know that if we are going to spend money, we use it efficiently and that there is a plan to be able to get us out of debt.

What we heard through the negotiations was that any increase in spending would be offset with pay-fors that were real. The spending negotiations that were done were supposed to develop that plan. What we have as a final document is not a plan to get us out of debt. In fact, it increases our debt

again. What we have is not a plan to handle the long-term consequences of deficit. In fact, it obfuscates that again. We need a plan to deal with entitlements, and what we have done is just scratched the surface dealing with entitlements.

What I have heard over and over is that at least the pay-fors are real, that for any increased spending that was done, at least there were offsets for that. Let me give a couple of examples of these real pay-fors, as I read the bill.

Here are a couple of real pay-fors. One is called pension payment acceleration. This is listed as one of the real pay-fors in the document. Pension payment acceleration in section 502 changed the due date for pension premiums from October 15, 2025, to September 15, 2025, in order to get another \$2.3 billion into the 10-year budget window.

You see, this is all laid out to say that in the next 10 years we will pay this off. So they took a payment that was due 10 years and 2 weeks from now and moved it forward a month. So literally, yes, it adds \$2.3 billion into the 10-year window, but if we had a 10-year-plus-2-week time period, it would be exactly the same. It is actually zero savings. It is not real. They moved the payment a month and said that is a pay-for. It is not a pay-for. That is the pension payment acceleration.

How about this one? We have this one in the Federal Government called the Crime Victims Fund. The Crime Victims Fund is money seized from criminals and designated not for general use but to compensate the victims of crime—hence the name Crime Victims Fund. Apparently, this budget agreement qualifies as a victim of crime because \$1.5 billion is taken from the Crime Victims Fund and dedicated not to victims of crime but to spending in other areas.

We literally take \$1.5 billion out of the Crime Victims Fund and spend it on the EPA, the IRS, and silent Shakespeare festivals out there in Federal funding—so much for helping crime victims.

We have 12 appropriations bills we have done in the Senate. It is the first time in a very long time that the Committee on Appropriations has done all 12 appropriations bills through committee. In this agreement, all 12 of those appropriations bills will have to be redone. Here is how they will be redone. The defense bill will be cut, and the other 11 will all go up in spending. The top of that debt ceiling is without reform.

The final straw for me in looking at this deal is Social Security disability. The Presiding Officer knows full well I have worked for 3 years on Social Security disability reform, knowing that the day was coming when we would have to fix Social Security.

The CBO has warned us for 4 years that Social Security disability would reach insolvency in 2016, so my office has spent the last 3 years preparing for

how we could actually reform this program to make sure we stabilize the Social Security disability program. I have interviewed individuals within the disability program—attorneys that work with it, Federal judges, administrative law judges, representatives, Social Security staff in all of those cubicles across the Social Security Administration offices, advocacy groups, parents of the disabled, and we held bipartisan hearings to look for common-ground solutions and worked with the inspector general and the GAO to hear other practical solutions they had discovered. We have a long list of real solutions to solving Social Security disability for the disabled and for the taxpayer. We have submitted those solutions as an amendment to this bill because there are real answers to solving Social Security disability, if you do the work. We have actually done the work to prepare for this.

Instead, this budget bill renews a few demonstration programs, changes a few names, transfers some funds from retirement Social Security over to disability Social Security, and calls it reform. If you look at the way the actuarial tables work out, of the 100 percent that needs to be done to bring solvency, they do 1.5 percent of what needs to be done to bring the program to solvency. The estimate is 1.5 percent of the 100 percent that needs to be done, and it is called real significant disability reform. I wish it were, because it is desperately needed.

Everyone knows this Congress only seems to do anything when they have to. A deadline is coming to deal with Social Security disability. This is the time we have to do the reforms. This opportunity will not come around again for 7 years, because this extends out this program for 7 years with almost no reforms at all. We are missing our window.

These are the most vulnerable individuals in our society who are on disability. These are individuals who literally cannot work in the economy in any way, and they need our help and they need real reform in this program, and we have punted. There is 1.5 percent of reform of the 100 percent that is needed to actually stabilize the program.

What does real reform look like? It helps those stuck in the painful process of disability applications and gets them the help they need at the time they need it. Real reform helps with those who game the system to get out of the system. It gives clarity, accountability, and oversight to the system itself. That is what real reform would look like.

Let me give a couple of examples. The grid—it is called a vocational grid—which is used to determine if someone can work in the economy, has not been updated since 1978. It needs to be updated not just now but every 10 years in order to have a regular cycle of updating, and not every 40 years. But that is not required in this bill.

We need to have good record keeping—evidence for disability. That is not required in this bill. We need to have a standard to be able to rotate off disability and to bring some clarity to it. Right now it is medical improvement. The problem is there are no good records often for those individuals on disability. So there is no way to rotate off of it. An individual is permanently trapped in it because the records were so bad at the start. There is no change in that.

What does that look like in real life? Let me give a couple of real-life examples. In Puerto Rico, the Office of the U.S. Attorney accepted a case for prosecution about 4 years ago. The inspector general initiated a Federal grand jury investigation, working closely with the Office of the U.S. Attorney, the FBI, and the Puerto Rico Police Department. In August of 2013, 74 individuals, including 47 medical professionals and a nonattorney claimant representative, were indicted and arrested for their involvement in a large-scale disability fraud scheme.

On January 15, 2015, the U.S. Attorney's Office in Puerto Rico announced the indictments of an additional 40 individuals, including a psychiatrist, for their alleged involvement in this conspiracy when they undertook an early-morning arrest operation for those individuals. All of these individuals were apprehended, and at the end they estimate the cost to the taxpayer is \$100 million of fraud in that one case alone.

In Huntington, WV, in May of this year, the Social Security Administration mailed letters to approximately 1,500 individuals informing them of their need to redetermine their eligibility for Social Security disability—many of those individuals have been on disability for years—because the Social Security Administration and the Inspector General's Office noted that many of these individuals were put on in a case that did not match facts with what actually happened in their lives. They were led to believe this by a representative, an attorney in this case, fraudulent work behind the scenes by physicians, and the inside work of individuals within Social Security who tracked them through the process. What happened? There were hundreds of millions of dollars in fraud.

These things still continue. Nothing changes on this. I wish this bill would correct some of these issues today, but it doesn't. Those individuals were told by someone that they fit into the disabled category, only to find out later that they had also been defrauded in the system.

There is nothing in this bill mandating the Social Security Administration to update its medical and vocational listings. There is nothing in this bill to prevent people who receive unemployment insurance, who by definition must be employable, from also receiving disability insurance—people who by definition cannot also work.

There is nothing in this bill to streamline the adjudication process or

to eliminate the second level of appeal, which is called reconsideration. Many individuals within the process who are legitimately disabled and who just want to have their cases heard get stuck in this long process. There are actually more appeals in Social Security Administration, in the Social Security disability program, than there are on death row, which puts people in this cycle of endless appeals, year after year, and continues to rack up the cost to the taxpayer and the effect on those who are disabled.

There is nothing in this bill to ensure that a claimant's medical record is well developed so that when they come up for a continuing disability review, a disability determination service examiner can make an informed judgment and actually evaluate whether they are medically improved.

There is nothing in this bill to conduct oversight of the administrative law judges or claimants' representatives. The bill increases the number of administrative law judges but not the oversight. I am not sure if many in this body are aware that some of the administrative law judges in this country have an overturn rate of 95 percent or higher, and we are adding more but not increasing the oversight.

There is no opportunity given for greater accountability or even to improve the Code of Judicial Conduct—a basic element of reform that should be in this.

As for the claimant representatives, according to the Social Security Administration's Office of Inspector General, in tax year 2013, the top 10 highest earning claimant representatives made \$23 million. Remember that the payment for the claimant representatives comes directly out of the money that should go to the disabled individual, not from another fund. It is from the individual who should have received that money as disability. So the more the reps make, the less tax money that actually gets to the disabled individual. There is no change in this model. It continues to provide funding for claimant representatives and attorneys and continues to leave the disabled exposed.

By the way, today in Social Security Administration offices all around the country, they are processing the money from the disabled and sending checks to the representatives because although the reps are hired by the disabled individual, they are paid and processed by the Federal workforce from the disabled person's money. We can do better than this. We should do better than this.

This is not a deal the American people are looking for. This is not a budget agreement the people of Oklahoma say fixes our debt and deficit issues and stabilizes disability. This is a deal that is done, apparently, but not a deal that is done well. Based on where we are in debt and deficit, we need to do better, and I pray we do in the days ahead. We have much to get fixed. It is time to

actually fix some things, not just to stay operational.

Mr. President, I ask unanimous consent to speak for an additional 5 minutes.

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

FREE EXERCISE OF RELIGION

Mr. LANKFORD. Mr. President, there is a football coach in Washington State. He is the head coach of the JV team, and he is the assistant coach of the varsity football team. Tonight is the last game of the season for them, but he will not be coaching on the sidelines today because last night he was dismissed from his duties in Bremerton, WA. According to the attorneys at the school, he was dismissed from his duties because last Friday night at the football game, he had the audacity to kneel down at the end of the game and silently pray at the 50-yard line when the game was over, when the school had instructed him that he was not to silently pray at the end of a game.

Help me understand this. The night before the last game of the season, they kick the football coach off the field because he had the audacity to silently pray when they told him not to.

To his defense, this is not brand new. Since 2008, this same coach, at the end of the games—each game—has had the habit of kneeling and praying at the 50-yard line after the kids have gone, after the game is over, to thank God for the safety of his kids. It is a habit he started 7 years ago, but for some reason the Bremerton School District has determined this is completely unacceptable. Their perspective is that you can only have faith if no one sees it. They have literally set a new standard. What they are taking from the Borden case, which I will explain in a moment—they are saying that if you are a school official, no one can see that you have faith because if anyone sees that you have faith, they will take that as the establishment of religion from the school district. That is a standard no court in America has set. That would mean any individual who is Jewish couldn't wear a yarmulke if they were also a teacher. That would mean anyone who is Muslim couldn't wear a head scarf because clearly that is a visual display of faith. That would mean no teacher could bow their head and pray before their meal in the school lunchroom. That would mean no football coach could kneel down with 5 seconds to go in the game in, the fourth quarter, before their 16-year-old is about to kick a field goal. They would say: No, you can't kneel down and pray on the sidelines.

The absurdity of this is they set this brandnew standard that says you cannot have anyone see you have faith. That would mean that in this situation, this district has created a new legal standard that no one else has ever agreed to, literally created in the school district a faith-free zone, put up a sign on the front door that says "No

one can express any type of faith in this building." That is absurd.

The school district quoted multiple times from the Borden case, which is the Borden v. School District of the Township of East Brunswick case. This is what the actual case was. It was a football coach who, before the game, at a mandatory meeting of the team, led them in a prayer. The only similarity here is prayer and football because this is not a mandatory meeting before the game; this is not a required closed time; this is an individual, after the game is over, kneeling down on his own and freely expressing his faith without requiring anyone else to be there, anyone to listen. This is an individual living their faith. That is free in America, whether you are Muslim, whether you are Wiccan, whether you are Hindu, whether you are Christian, whether you are Jewish, whether you are a Federal employee or a State employee or a private citizen. Every individual retains their constitutional right to the free exercise of their religion. Does that mean they can coerce people or proselytize in that situation? No, it does not. The Court has been very clear on that. But that is not what this was. This is not a situation where the coach was coercing his players to participate in a prayer or proselytizing his players while he was on school time. He was simply kneeling down to pray, and for whatever strange reason the school district has put him on paid administrative leave and has started the process of firing the coach.

I bring this up because it suddenly becomes a national issue when a school district creates a new legal standard for every person of faith in America. Every person of faith in America has the right to live their faith. A school district does not have the right to say to someone: Your constitutional right ends here.

I can go through in great detail the different standards they leave out there, but their accommodation was this one simple thing: He could privately pray in a room of the school district's choosing. If he wanted to pray, they would put him in a spot and say: You can pray in there, in a place we pick, but you can't pray out there.

May I remind Americans that we do not have freedom of worship in America; we have the free exercise of religion in America. The government does not have the authority to confine your faith to the location of the government's choosing. A government entity like a school district cannot say to an employee: You can only live your faith over there, where we pick.

I don't know what the school district is going to do in the days ahead, but I know what Americans of all faiths and people of no faith should do. They should rise up and say: We are a nation that protects the free exercise of religion. And people who disagree with that coach should rise up in the same way with people who agree because I can assure you—if they will silence a

Christian who is silently praying on the 50-yard line, I can assure you they will be after every other faith in the country and say: You can only practice your faith in the place of the government's choosing. That is not who we are.

Coach Joe Kennedy has the right to pray anywhere he wants to pray as long as it doesn't interrupt his school responsibilities. I pray that this school district and the attorneys who are trying to manufacture a new requirement on people of faith will see that in the days ahead.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wisconsin.

HONORING OUR ARMED FORCES

SENIOR AIRMAN QUINN LAMAR JOHNSON-HARRIS

Mr. JOHNSON. Mr. President, I come to the floor today to pay tribute to one of the finest among us, a young man from Wisconsin whose service to his country was cut short by tragedy in Afghanistan.

SrA Quinn Lamar Johnson-Harris, a 21-year-old from Milwaukee, was among six airmen and five civilian passengers who lost their lives when a C-130 crashed on takeoff from Jalalabad Airfield in Afghanistan earlier this month. Every one of those individuals was a grave loss to our country. Every one deserves to be remembered and revered before the Senate.

Today it is my solemn duty and particular honor to tell you about Airman Johnson-Harris. Quinn graduated from Homestead High School in Mequon, WI, in 2012. The very next year, he joined the Air Force. It was a foregone conclusion that he would serve his country long before that, however. His grandfather served in Vietnam. His oldest brother, Jeremy, is a proud marine. His other older brother, Lamar, graduated from West Point just last spring and is now proudly serving in the Army.

His mother told the story about how her three sons—Quinn was only 2 years old at the time—saluted at the grave of their grandfather and vowed to serve their country.

For men such as these, our Nation is eternally grateful.

Quinn went to rebuild houses in New Orleans after Hurricane Katrina while he was still in school. Later one of his comrades, a sergeant who served with him in the Air Force, said he was: "the heart of the squadron" and that "He was the best of us."

For 239 years, our service men and women have guarded our freedom, more than 42 million of them. Since the Revolutionary War, more than 1 million of those heroes have given their lives, including more than 27,000 sons and daughters of Wisconsin. Now Airman Johnson-Harris has been added to that terrible toll. His brothers, his sister Fatia, his parents Yvette and LaMar, and all his family and friends grieve their loss. Our hearts go out to them, and we pray that they will find comfort and peace.



I saw the grief of Airman Johnson-Harris's family this past weekend during his funeral service at Christian Faith Fellowship Church in Milwaukee. I saw the respect they had for him and the honor granted him by a family who knows the meaning of earned honor. Quinn swore to support and defend the Constitution of the United States, to put his life on the line for the liberties we all enjoy. We must never take that type of dedication for granted. We owe him the honor of taking our own corresponding oath of duty as seriously as he took his.

May God bless Airman Johnson-Harris's loved ones, may He guard all of those in our Armed Forces who defend our Nation's liberty, and may God bless America.

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

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

Mr. MORAN. Mr. President, I spoke a few moments ago on the Senate floor, and as I was leaving I was made aware of an article in which the minority leader, Senator REID, was quoted. I wish to highlight something I want my colleagues to hear and know.

What the Senator from Nevada indicated was—the article begins: Having secured their goal of getting a budget deal addressing the debt ceiling and sequestration cuts, Democrats are now looking forward to the appropriations process.

As an appropriator, so am I. I am interested for us to have the opportunity, if this budget agreement passes, to make decisions about the priorities of spending within those budget numbers. What is so troublesome to me is that the indication was that President Obama and Democrats stand firm against efforts to target environmental regulations and other contentious riders.

I am quoting the Senator from Nevada:

We're holding hands with the president, we're all holding hands. We are not going to deal with these vexatious riders. We feel comfortable and confident. . . ."

He goes on to talk about the agreement.

This is a Congress that is supposed to deal with contentious and vexatious issues. Why does anyone have the opportunity to say it is off the table? It happened in these budget agreements in which we were told dealing with mandatory spending is off the table. Yet it is one of the most important issues we need to address, and you ought not start negotiations by saying we are not even going to talk about an issue. In this case, "off the table, not subject to discussion" is the issue of

contentious or environmental regulations.

Congress—Republican and Democratic Members—ought to care about the power of Congress that is granted to us by the Constitution in our representation of the American people. We need the days in which the Congress and Members of Congress are not wedded to a Republican President or a Democratic President just because they happen to be Republicans or Democrats. We need to make decisions based upon what is good for the country, not whether we are backstopping a President who happens to be a Member of our political party. Where are the Members of Congress who say congressional authority is the constitutional grant of power to act on behalf of Americans?

We need not only to establish priorities as a Congress when it comes to the spending process, but we need to make decisions when an agency or a department exceeds their authority, when they operate in ways that are contrary to what we believe is in the best interest of the country, in circumstances in which they are doing things that lack common sense. The role of Congress is to direct the spending. It is granted to us by the Constitution of the United States. We are saying that while we are pleased we have a budget agreement, we will not stand for Congress determining whether the money can be spent in a certain way, whether it can be prohibited from being spent in a certain way. We are taking vexatious riders off the table.

This is our responsibility. It is just as important for us to determine whether money should be spent at all as it is for us to determine how much money can be spent on a government program. It is particularly true, I don't think there is any question but that this administration has been the most active, many of us would consider acting in an unconstitutional way in the development of regulations, of policies, of the bureaucracy of what the departments and agencies are doing. This is an administration that cries out for congressional oversight, not for someone who says it is not even on the table to be considered.

I would think Republicans and Democrats both ought to have an interest in determining how money is spent as well as whether we should tell an agency, a department they can't spend that money at all. Many of my Democratic colleagues have indicated they support a number of riders, including ones that are considered environmental.

Waters of the United States is one that I have been told numerous times that my colleagues on the Democratic side of this Congress support the rider that is in the appropriations bill. Numerous times I have been told that many Democrats support reining in the regulations that are coming from the Department of Labor related to a fiduciary rule. Now we hear that vexatious environmental riders are off the table.

We ought not allow that to stand. It is not that I expect every rider that I am for to receive approval of Congress, but those votes ought to be taken. That is our responsibility and majority rules.

Again, the circumstance we now find ourselves in, this is nothing that we are even going to talk about. It is troublesome to me that those of my colleagues who have expressed support for those riders—I guess I should explain to Kansans and to Americans, a rider is a provision—language in the appropriations bill that oftentimes says no money can be spent to implement this idea, to implement this regulation.

It is an absolutely important responsibility for Congress. It is not unusual. It is not something outside the boundaries of what we are supposed to be doing. It is absolutely a significant component of our responsibility. Now those who claim they are for a rider, say the Waters of the United States or the fiduciary rule that the Department of Labor is promulgating—we have colleagues who say they are for that. Now they will be able to say: I am for it, but I never had a chance to vote on it because it was off the table.

I would again ask my colleagues on both sides of the aisle, don't fall into this trap in which we are here to support ad hoc, at every instance, the executive branch just because they happen to be a Member of our political party. When there is a Republican President, I hope to abide by those same rules. I am here on behalf of Kansans and on behalf of Americans, not on behalf of an administration regardless of their political party, and we ought to demand that Congress do its work. We had an election, the people of this country asked for something different, and once again we are back in the circumstance in which no longer are we able to move forward on legislation.

I assume by what the former majority leader is saying that when he says it is off the table, he means there will not be 60 votes for us to even consider an omnibus bill in which those riders are included. Now, what I will say is that before long, we are going to be hearing about how Republicans are interested in shutting down government because they want these riders. Well, the reality is that the Senator from Nevada is indicating there is no discussion, and the blame ought not fall on those of us who actually wanted Congress to work. The allegation of shutting down government ought to rest on those who say: We won't even discuss an appropriations bill that includes vexatious or contentious riders.

Who would want to be a Member of a Congress that is unwilling to deal with contentious issues? It is our constitutional responsibility. The American people ought to demand the opportunity for us to address issues of importance to them, and it ought not be off the table before the conversation even begins.

Again, the point is that we have a constitutional responsibility that we

failed to exercise. When the decisions are made, it is off the table. We need a Congress that works, and we need a Congress that puts the American people above defending a President, regardless of his or her political party.

I yield the floor.

MEASURE DISCHARGED AND PLACED ON THE CALENDAR—S.J. RES. 20

The PRESIDING OFFICER. Pursuant to 42 U.S.C. 2159(i) and section 601(b)(4) of Public Law 94-329, S.J. Res. 20 is discharged and placed on the calendar, 45 days of the review period having elapsed.

Mr. MORAN. 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. 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.

Mr. MCCONNELL. Mr. President, for the information of our colleagues, the cloture vote on the House-passed budget and debt limit package will occur an hour after we reconvene, which is at 1 a.m. under the regular order. Once cloture is invoked, the Senate will remain in session and on the message until we vote on passage.

Senators will be permitted for up to an hour to speak postcloture. That is after 1 o'clock, under the rules. It is my hope that the debate time will be extremely limited and that we will be able to move to a passage vote almost immediately after 1 a.m. The timing, however, is up to any individual Senator who claims debate time after the 1 a.m. vote.

ORDERS FOR FRIDAY, OCTOBER 30, 2015

So I ask unanimous consent that when the Senate completes its business today, or at 11:55 p.m. today, whichever comes first, it adjourn until 12:01 a.m. on Friday, October 30; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; finally, that following leader remarks, the Senate resume consideration of the House message to accompany H.R. 1314, with the time until 1:01 a.m. equally divided between the two leaders or their designees.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

ORDER FOR RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. MCCONNELL. So if there is no further business to come before the Senate, I ask unanimous consent that it stand in recess subject to the call of the Chair, following the remarks of Senator WHITEHOUSE.

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

Mr. MCCONNELL. 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. 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.

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

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

HEALTH CARE COSTS

Mr. WHITEHOUSE. Mr. President, we are embarked on a significant budget agreement that has as one of its components adjustments to America's health care costs. In the case of this particular agreement, I support the adjustments that have been proposed—things such as preventing drug manufacturers from raising their costs higher than the rate of inflation. We have seen people come in and buy companies and jack up the costs 10 times because they can. They haven't added any value to the products; they have just raised the costs. I support that. Paying hospitals the rate for physician practices that the physician practices were paid before the hospital bought them—nothing changed in the physician practices; just ownership changed, and that shouldn't allow a windfall to the buyer. I think we have done well with what we have done to reduce health care spending in this particular bill, but I recall that in the sequester we did an across-the-board haircut right across Medicare. Whatever you were being paid before, you got paid 98 percent of that afterward if you were a Medicare provider.

I want to come today to offer a thought that I hope can percolate a bit, and if we go back and look at those costs again I would like to get this thought into the conversation. The backdrop of this is the extraordinary increase of health care costs that we have seen more or less in my lifetime.

This chart shows 1960, and it is a \$27 billion American expenditure on total health care. Here it is in 2013, with \$2.9 trillion, an increase of more than 100 times over those years in what we spend on health care. And as we have done that, what we have done is we have become the most expensive per-capita health care country in the world—and not by a little but by a ton. Over at the far side of the chart is the United Kingdom, then Germany, Japan, Switzerland, France, the Netherlands, and here is the United States. Again, this is 2013 data. We are way above the most expensive competitors that we have. So there is something that can be done here with this excess cost, because people aren't getting bad health care in Germany. They are not getting terrible health care in the United Kingdom. They are not suffering in Japan or Switzerland or France or the Netherlands. These are competitive systems with ours, but ours costs half again as much. There is a big target in savings here.

Here is another way of describing it. If you look at the cost and you compare it to a quality measure, here the quality measure is life expectancy in

years, how long people can expect to live in these different countries, and this is the same per-capita cost information I showed in the last bar chart. What you see is that most of the countries that we compete with are grouped right up in here, as shown on this chart—Greece, Great Britain, Japan. Most of the EU is right in here. As you run up the cost curve you get to Switzerland and the Netherlands. They are the two most expensive countries in the world in per-capita health care, not counting us. Look where we are. We are out here. Our costs are about half again as much as the least efficient health care providers in the industrialized world. We are more inefficient by nearly a factor of a third than the least efficient health care providers in the industrialized world. That is not a prize we want to own. We want to be able to move this back.

If you look at this gradient of life expectancy, we compare with Chile and the Czech Republic. Where we want to be is up here. Where we are is here. So once again, it proves there is enormous room for improvement in our health care system and we know that because other countries are doing it. They can do it. Darn it, we ought to be able to do it too.

Now we change the scope of this a little bit. This chart shows the American health care system State by State. Each State is marked as one of the dots on this graph. This graph has the same thing across the bottom—Medicare spending per beneficiary. The last one was national spending, and this is Medicare spending per beneficiary. Here are the quality rankings of the States. There are a variety of quality rankings, and this assembles them into a consolidated quality rating.

What you see is that within the United States of America you have the States. This goes back a bit. This is an old ranking that the Journal of the American Medical Association produced. It shows that there are some States that were just under \$5,000 per capita. They were doing something right. There are other States here, including an outlier, all the way over to \$8,000 per capita. But there is a bulk of States here that run about \$7,000 per capita. That is a \$2,000-per-Medicare-recipient difference between this group of States and that group of States. That is interesting. Why is it that there is this big difference?

Here is another interesting factor. Look who is doing better on quality—the States that spend less. The lesson from this is if you are delivering high quality health care, you can deliver it less expensively than if you are delivering low quality health care. At a \$2,000-per-beneficiary increase in costs, these States are way at the bottom on quality compared to the others. The relationship between quality of the care people receive and the cost it takes to deliver it to them is reversed. This

isn't like Lexus and Mercedes, where you pay more and you get a better car. This is the opposite. You have a really crummy car and it costs more to run it, it doesn't work, and it is expensive because it is not working well. It is backward. It is interesting that way.

If you bring that forward, this shows a recent graph from the Commonwealth Fund that shows the same thing, overall quality score relative to the U.S. median and costs in total Medicare spending. Here is the average right here for cost and the average for quality, and here you have these States down here in the bad box. They are way out here in costs. They are very expensive States. They are all above average. Some of them here are way above average—25 percent above average, 15 percent above average, 20 percent above average. Look what their quality measure is. They stink. They deliver terrible quality health care. Over here you have a bunch of other States that are way above the quality median and at the same time they are way below the cost average. So the principle from that first graph back in 2000 still holds true, according to the Commonwealth Fund.

With that background, here is another way to describe it. These are the 10 worst States in terms of highest cost per capita, and these are the best 10 States. I know we have a country with 50 States. This is only 20. We leave out the middle 30. These are the worst 10 in terms of cost, and these are the 10 best in terms of cost.

Here is the idea. Why should we be reimbursing above average the States that have a per-capita cost above average, instead of the way we did it on the sequester, by taking a 2-percent cut on everybody across the board that nobody can do anything about—just a cold, wet blanket of funds denial? Why not look and say this is the most that a State would get paid—whatever the cost would be—if it were at the average. The rest, you just take it back per capita across the entire reimbursement for that State.

This is what would happen with these high cost States. The very next meeting of the State medical society, the very next time the State met with the Governor, the very next time the Medicaid program got together, they would be hollering, saying: What on Earth? I do a good job. I am going to get my reimbursement cut because of that?

No, we have to fix this. It would give them a massive incentive to stop behaving like this and start behaving like this. If we built in some lead time so they had the chance to actually get there, they might actually never have to cut. They might not ever have to face that cut because what they would have done in the time leading up to when the cut was scheduled to be imposed is begin to behave like the States that have lower costs than average.

We know this could be done because so many States are already doing it. Why would we ever again look at an

across-the-board Medicare-provider cut when we have an enormous discrepancy between these high-cost, low-quality States and these low-cost, high-quality States—like this one all the way over here? Oh, my gosh, it is a bargain there; it is top quality care.

That is my point for the day. I hope that anybody listening who is looking at the proposed cuts in the budget and who is looking at the need to manage this exploding health care cost curve that America has had for the last 50 years—steepening health care cost curve—starts to think about ways to do not just dumb and bloody cuts, but smart cuts—smart cuts that give the States that are costing us much more money than their peers the incentive to actually start behaving like their peers and bring down the cost for everyone. That is what I would consider to be a serious win-win.

I look forward to continuing this discussion. We have a couple of years before we are going to face this again with any luck, but I think this is an idea that is worth considering.

Once again, if you give the States enough warning within the 10-year budget period so we can score it but with enough warning that they have got the chance to react—I encourage anybody to read Atul Gawande's last article about Texas. He wrote an article about the terrible cost differential between—I think it was El Paso and a town called McAllen, TX—huge. Then they brought in the ObamaCare affordable care organizations—accountable care organization models and down came the price in McAllen.

So it can be done. We have seen it being done.

With that, I yield the floor.

#### RECESS SUBJECT TO THE CALL OF THE CHAIR

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess subject to the call of the Chair.

Thereupon, the Senate, at 7:03 p.m., recessed subject to the call of the Chair and reassembled at 8:32 p.m. when called to order by the Presiding Officer (Mr. SASSE).

#### TRADE ACT OF 2015—Continued

The PRESIDING OFFICER. The Senator from Texas.

Mr. CRUZ. Mr. President, for many months I have been speaking about what I call the Washington cartel. The Washington cartel consists of career politicians in both parties who get in bed with lobbyists and special interests in Washington and grow and grow and grow government. I believe the Washington cartel is the source of the volcanic frustration Americans face across this country, and it is difficult to find a better illustration of the Washington cartel than the charade we are engaged in this evening. This deal we are here to vote on is both

shockingly bad on the merits and it is also a manifestation of the bipartisan corruption that suffuses Washington, DC.

What are the terms of this budget deal? Well, in short, what the House of Representatives has passed, and what the Senate is expected to pass shortly, is a bill that adds \$85 billion in spending increases—\$85 billion to our national debt, \$85 billion to your children and my children that they are somehow expected to pay. I don't know about your kids, but my girls don't have \$85 billion lying around in their rooms.

This bill is put together in a way only Washington could love. The spending increases, when do they occur? Surprise to nobody, \$37 billion in 2016, \$36 billion in 2017, and \$12 billion in 2018. But we were told, fear not; there are some spending cuts to offset them. And wonderfully, miraculously, ostensibly there are supposed to be a few spending cuts in 2020, then 2021, 2022, 2023, and 2024. At the very end, 10 years from now—when my daughter Caroline will be getting ready to graduate high school, she is 7 now—we are told \$33 billion will be cut in 2025.

If you believe that I have a bridge to sell you in Brooklyn and I have some beachfront property in Arizona. Nobody in this Chamber believes that. Nobody in the House of Representatives believes that. No member of the press believes that. Everyone understands this is a lie. It is an agreed-to lie by everyone. We will spend now for a promise that 10 years hence we will magically cut spending that will never ever, ever occur.

That is on the face of it, but beyond that it is worth thinking about just how much \$85 billion is. It is more than the Senate negotiated with the House when HARRY REID was majority leader. When HARRY REID was majority leader the Ryan-Murray budget agreement—which was a flawed agreement and an agreement I voted against—increased spending by \$63 billion over 2 years.

So what does it say that a supposedly Republican majority of the Senate negotiates a bigger spending bill than HARRY REID and the Democrats? When HARRY REID and the Democrats were in charge of this body they jacked up spending and our debt \$63 billion. When the Republicans take charge, whoo baby, we can do it better—some \$85 billion.

Not only that, this deal is not content with spending increases. It also takes the debt ceiling and essentially hands President Obama a blank credit card. It says to the President: You can add whatever debt you like for the remainder of your term with no constraint from this body. We are abdicating any and all congressional authority over the debt that is bankrupting our kids and grandkids.

Now the Presiding Officer and I both campaigned telling the citizens of Nebraska and the citizens of Texas that if we were elected we would fight with