

(b) ELEMENTS.—The plan required by subsection (a) shall include each of the following:

(1) A comprehensive analysis of, and recommendations and a proposed implementation plan for remedying workload management challenges at regional offices of the Department of Veterans Affairs, including steps to reduce counselor caseloads of veterans participating in a rehabilitation program under such chapter, particularly for counselors who are assisting veterans with traumatic brain injury and post-traumatic stress disorder and counselors with educational and vocational counseling workloads.

(2) A comprehensive analysis of the reasons for the disproportionately low percentage of veterans with service-connected disabilities who served in the Armed Forces after September 11, 2001, who opt to participate in a rehabilitation program under such chapter relative to the percentage of such veterans who use their entitlement to educational assistance under chapter 33 of title 38, United States Code, including an analysis of barriers to timely enrollment in rehabilitation programs under chapter 31 of such title and of any barriers to a veteran enrolling in the program of that veteran's choice.

(3) Recommendations and a proposed implementation plan for encouraging more veterans with service-connected disabilities who served in the Armed Forces after September 11, 2001, to participate in rehabilitation programs under chapter 31 of such title.

(4) A national staff training program for vocational rehabilitation counselors of the Department that includes the provision of—

(A) training to assist counselors in understanding the very profound disorientation experienced by veterans with service-connected disabilities whose lives and life-plans have been upended and out of their control because of such disabilities;

(B) training to assist counselors in working in partnership with veterans on individual rehabilitation plans; and

(C) training on post-traumatic stress disorder and other mental health conditions and on moderate to severe traumatic brain injury that is designed to improve the ability of such counselors to assist veterans with these conditions, including by providing information on the broad spectrum of such conditions and the effect of such conditions on an individual's abilities and functional limitations.

The PRESIDING OFFICER. Under the previous order, amendment No. 2801 is agreed to.

AMENDMENT NO. 2764 WITHDRAWN

Under the previous order, amendment No. 2764 is withdrawn.

AMENDMENT NO. 2763, AS AMENDED

Under the previous order, the question occurs on the substitute amendment, as amended.

The Senator from Montana.

Mr. TESTER. Mr. President, if I may have 1 minute, I urge my colleagues to vote for this Military Construction-VA appropriations bill before us.

Thank-yous are in order. I thank the chairman, Senator KIRK, and his staff, Bob Henke, D'Ann Lettieri, and Patrick Magnuson. I also thank Tina Evans and Chad Schulken. By the way, it is Chad's birthday today, so make sure you wish him a happy birthday. I also thank Michael Baine, Tony McClain, and the other staff who worked on this bill.

This bill does right by our veterans, and I am proud to have worked with our colleagues in this Chamber.

The PRESIDING OFFICER. The question is on agreeing to the substitute amendment, as amended.

The amendment (No. 2763), as amended, was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

Mr. CRAPO. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Texas (Mr. CRUZ), the Senator from Colorado (Mr. GARDNER), the Senator from South Carolina (Mr. GRAHAM), the Senator from Nevada (Mr. HELLER), the Senator from Kentucky (Mr. PAUL), the Senator from Florida (Mr. RUBIO), and the Senator from Louisiana (Mr. VITTER).

Further, if present and voting, the Senator from Nevada (Mr. HELLER) would have voted "yea" and the Senator from Louisiana (Mr. VITTER) would have voted "yea."

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

The result was announced—yeas 93, nays 0, as follows:

[Rollcall Vote No. 302 Leg.]

YEAS—93

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

NOT VOTING—7

| | | |
|---------|--------|--------|
| Cruz | Heller | Vitter |
| Gardner | Paul | |
| Graham | Rubio | |

The bill (H.R. 2029), as amended, was passed.

The PRESIDING OFFICER. The majority leader.

DRIVE ACT

Mr. MCCONNELL. Mr. President, I ask that the Chair lay before the Senate the House message accompanying H.R. 22.

The Presiding Officer laid before the Senate the following message from the House of Representatives:

Resolved, That the House insist upon its amendment to the amendment of the Senate to the text of the bill (H.R. 22) entitled "An Act to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes," and ask a conference with the Senate on the disagreeing votes of the two Houses thereon.

COMPOUND MOTION

Mr. MCCONNELL. Mr. President, I move to disagree to the amendment of the House, agree to the request from the House for a conference, and authorize the Presiding Officer to appoint conferees.

CLOTURE MOTION

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

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

The bill clerk read the following:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to disagree to the amendment of the House, agree to the request from the House for a conference, and authorize the Presiding Officer to appoint conferees with respect to H.R. 22.

Mitch McConnell, Mike Rounds, Lamar Alexander, Johnny Isakson, Deb Fischer, John Cornyn, Chuck Grassley, Thad Cochran, Joni Ernst, Cory Gardner, John Thune, Daniel Coats, Orrin G. Hatch, John Barrasso, James M. Inhofe, Thom Tillis, Roy Blunt.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the mandatory quorum call be waived.

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

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the time between 2:15 p.m. and 2:45 p.m. be equally divided between the two leaders or their designees and that notwithstanding rule XXVIII, at 2:45 p.m. the Senate vote on the motion to invoke cloture on the compound motion to go to conference; further, that if cloture is invoked, that the Senate agree to the compound motion to go to conference and that Senator WICKER be recognized to offer a motion to instruct the conferees; that there be up to 4 minutes of debate equally divided on the motion and that following the use or yielding back of that time, the Senate then vote in relation to the Wicker motion; that following the disposition of the Wicker motion, Senator BLUMENTHAL be recognized to offer a motion to instruct the conferees; that there be up to 4 minutes of debate equally divided on the motion and that following the use or yielding back of that time, the Senate then vote in relation to the Blumenthal motion.

Mr. President, I ask to withhold my request until Senator CARPER arrives.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Mr. President, I understand that a request is pending, and I would like to reserve my right to object.

The PRESIDING OFFICER. Is there an objection to the majority leader's request?

Mr. CARPER. I have a statement I would like to make at this point in time. If this is the appropriate time to do it, then I would like to do it. I would like to speak for 10 minutes.

Mr. McCONNELL. I renew my request.

The PRESIDING OFFICER. Is there objection?

Mr. CARPER. Reserving the right to object.

Mr. INHOFE. Will the Senator yield?

Mr. CARPER. I am happy to yield.

Mr. INHOFE. There is a lot of mumbling going on. I am not sure what we finally decided to do.

Mr. CARPER. Mr. President, I will speak for 10 minutes on transportation, and then we will have our caucus lunch.

Mr. INHOFE. All right.

Mr. President, I ask unanimous consent that at the conclusion of the remarks of the Senator from Delaware, I be recognized for up to 10 minutes.

The PRESIDING OFFICER (Mr. WICKER). Is there objection?

Without objection, it is so ordered.

The Senator from Delaware.

Mr. CARPER. Mr. President, something came to my attention today that I haven't seen before. Actually, it is a blog which was apparently written by Ben Bernanke, the immediate past Chairman of the Federal Reserve. He wrote it for the Brookings Institute, and he talked about one of the pay-fors for the transportation bill for which we will be sending conferees to discuss later today.

As my colleagues may recall, the House passed a 6-year authorization bill for transportation—roads, highways, bridges, and transit—with funding for 3 years. When we sent our legislation over to the House, they came up with some new pay-fors. Frankly, it is not user fees, it is not even like pension smoothing, it is not like stealing TSA fees or Custom fees, but something new. They found money—about \$40 to \$50 billion—in the Federal Reserve and said: Why don't we use that for transportation spending?

Interestingly enough, the former Chairman of the Federal Reserve has written about this issue, and it has been editorialized in today's Washington Post, among others. I will read a sentence or two out of Chairman Bernanke's comments, if I may, talking about the new pay-for, where we take money from the Federal Reserve and use it for transportation purposes.

Here is what Chairman Bernanke says:

More substantively—and this is what I want to focus on in the post—"pay-

ing" for highway spending with Fed capital is not paying for it at all in any economically meaningful sense. Rather, this maneuver is a form of budgetary sleight-of-hand that would count funds that are already designated for the Treasury as "new" revenue.

Every year this extra money that the Federal Reserve has is turned over to the Treasury. In fact, it may be as much as one-half trillion dollars. That money goes into the earnings that the Federal Reserve makes, and at different points during the year, they turn money over to the Treasury.

What the House language says here is that we are going to reduce that amount of money that would normally go from the Federal Reserve to the Treasury during some part of this year, and we are simply going to pull that money out and use it for transportation. Now, that money was going to go to the Treasury anyway. It was going to go from the Federal Reserve to Treasury anyway, and now we are going to sort of slip in and pull that money out and say: No, no, we are going to use it for roads, highways, and bridges. It is a sleight of hand. GAO is blowing the whistle on it as well, and I am delighted Chairman Bernanke is calling it for what it is.

Look, we had the opportunity to pay for transportation projects. We had the opportunity to pay for roads, highways, and bridges, and to do it the old-fashioned way, and frankly, in a way that the chairman of our committee, Senator INHOFE, was in favor of. We have a tradition and history in this country of saying that things that are worth having are worth paying for, and people and businesses that use roads, highways, and bridges here in the past have said we ought to pay for the use of them. Now we are looking at a transportation bill that says: No, we are going to take money from TSA—TSA fee increases—and instead of using it to make our skies and aviation safer, we are going to steal 10 years of TSA revenues and put it over here in transportation. We are going to take money that ought to go to fortify our borders to make us stronger and better equipped so we can do a better job of finding out whether what is in the trucks is really produce or some other product, such as narcotics—our border crossings, where we have literally tens of millions of dollars' worth of trade going through trade every day—and instead we are going to take those revenues and put them into transportation.

There is the idea of taking money out of the Strategic Petroleum Reserve, where we pay \$80 to \$90 to \$100 a barrel and are now selling it for about half that and using the proceeds from that—buy high, sell low—to pay for transportation.

The latest trick from the House is to take the money out of the Federal Reserve when it is already going to go to Treasury anyway. Instead, we are going to take that money away from the Federal Reserve and pretend like it

has no consequence. Well, actually that \$50 or \$60 billion would have reduced the deficit. That is where it would have gone.

This is not the way to do business. We had the opportunity to fully fund a robust transportation plan. Several of us—Senator DURBIN, Senator FEINSTEIN, and I—offered legislation, very much like Bowles-Simpson, that would actually restore the purchasing power of the gas and diesel taxes in this country. We have not raised them since 1993.

Since 1993, the Federal gasoline tax has been roughly 18 cents. It is now worth less than a dime because of inflation. The diesel tax, since 1993, is worth less than 15 cents. Nominally, it is 23 cents. Meanwhile, roads, highways, and bridges are more expensive. Asphalt is more expensive, as is concrete, steel, and labor. Instead of being able to fund transportation in a genuine, honest kind of way, we are spending about \$50 billion a year at the Federal level for transportation. It is about one-third of what is being spent nationally. Out of that \$50 billion, we are only raising \$35 billion through our user fees, and we just go out and borrow the money for the rest. When we run out of money in the general fund, we go around the world and borrow money from China and other places so that we can build roads, highways, and bridges.

When the Chinese are mucking around in the South China Sea or the Spratly Islands or some of those other places, we say: You can't do that. They say: We thought you wanted to borrow our money. If they are manipulating their currency or dumping their goods and products into our markets, we say: You can't do that. They say: We thought you wanted to borrow our money.

We should not be beholden to them or to anybody else. We should fully fund transportation projects, and we could do that.

The legislation that Senators FEINSTEIN, DURBIN, and I offered would gradually raise the tax on diesel and gasoline by 4 cents a year for 4 years, and then index it going forward. How much money would that generate? That would generate about \$220 billion over the next 10 years.

Our roads, highway, and bridges get D-plus these days. Why? Because about a quarter of our bridges are in bad shape and the service of our roads and highways is as well. People say they don't want to pay any more money for user fees on gas or diesel. Well, people paid less than \$2 a gallon for gasoline at about 30,000 gas stations across America last week.

My friends, as it turns out, if we actually did raise the price for gas and diesel by 4 cents a year for 4 years, what would the effect be in 2020—4 years from now—for average drivers? The out-of-pocket impact would be about the cost of a cup of coffee a week. Meanwhile, because our roads, bridges, and highways are in such lousy

shape, we, as constituents—people who drive around this country—have an average cost of damage to our vehicles, tires, steering, and rims of our tires of over \$350 a year. That is not my number; that is a real number.

The other thing that is going on here is that we sit in traffic a lot in our country these days because we are not addressing our bottlenecks and doing what we ought to be doing in terms of upgrading our roads, highways, and bridges.

Every year Texas A&M does an analysis. What they do is to look at how much time we sit in traffic in this country. The average driver in this country sits in traffic 42 hours a year. In cities such as Washington, DC, the numbers are more like 80 hours a year. We are not moving. We are just sitting there wasting time, wasting fuel, and polluting the skies. We don't have to do that. Instead of doing something that is intellectually honest, what we are doing is really, I think, shameful. I think it is shameful.

Initially, I was just confused by what the House wants to do with the Federal Reserve by moving \$50 to \$60 billion out of there. Now that I understand what they are doing, it is even more shameful. We can do better than this, and the American people deserve better than that.

Our friends at the McKinsey Global Institute spent some time last year trying to figure out if we were actually investing robustly in our roads, highways, and bridges in this country. They looked at how it would affect our GDP and if it would have any effect on putting people to work. If we are willing to make robust investments for the next 10 years instead of, frankly, not much at all in terms of investments, here is what they said: We would grow GDP by about 1.5 percent per year for the next 10 years. So far this year it has been somewhere between 2 and 2.5 percent. We could increase it by another 1.5 percent if we make these kinds of honest investments. We are not going to come close to making robust investments.

The McKinsey Global Institute also told us that in terms of new employment, if we were actually to invest robustly in roads, highways, and bridges in this country, we would put 1.8 million people to work building roads, highways, bridges, and transit systems. But we are not going to do that.

We are not even close to what the McKinsey Global Institute was calling for in robust investments that would actually grow our GDP by 1.5 percent each year and increase employment by 1.8 million people. In fact, what we are passing here isn't even close to the 4 cents a year for 4 years and indexing going forward. That produces \$220 billion over the next 10 years.

What we are doing is barely keeping Federal funding at \$50 billion, and the way we are doing most of that is by sleight of hand and by using money

that has nothing to do with roads, highways, and bridges and nothing to do with businesses and people that use those transportation modes to pay for them—nothing. And now we are about to name conferees and go to conference on that kind of deal? The American people aren't stupid. They are not stupid.

Do you know what a bunch of States around the country—like 12 States in the last 2 years—did when they found out they were running out of money to build their transportation systems in their States? They raised their user fees. They actually raised them.

Do you know what happened when they had elections last November? Some 95 percent of the Republicans who voted to raise their user fees were reelected, and 90 percent of the Democrats who voted to raise their user fees in those 12 States were reelected. They didn't pay a penalty for it. They were rewarded for it. The people who voted the other way—who voted not to raise the user fees—didn't do as well. People aren't stupid.

We are going to have an opportunity here to name conferees and go to conference, and I just want to say that this man sitting next to me, JIM INHOFE, is a good man. He chairs our Environment and Public Works Committee. Our committee reported out a very good 6-year authorization bill. He is proud of it. Senator BOXER and I worked on it, and I am very proud of what we did. I commend Senator INHOFE for a great bill. That is the authorization piece. If we could just stop there, we would be fine. Unfortunately, the authorization is only half the game.

What was the picture of the guy they had on the floor not long ago? It was a picture of a cowboy wearing a big hat and lying back sleeping, and the caption under the picture says: All hat, no cattle. Well, when you have a great authorization bill but no real money to pay for it, that is really all hat, no cattle. I don't think there is a better example of it that I have seen than the legislation that we are going to be confereencing on very soon.

I wish I could sit here and say it is all going to work out and we will do just fine, but that is not the truth. We have let a great opportunity pass us by. We are about to let a great opportunity pass us by.

We are worthy of a better opportunity than that, and frankly the people of our country deserve a better effort than that.

With that, I yield the floor to my friend from Oklahoma.

The PRESIDING OFFICER. Is there objection to the request?

Mr. CARPER. I withdraw my objection.

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

The Senator from Oklahoma.

Mr. INHOFE. Mr. President, let me say in response that a couple of times my good friend from Delaware has ob-

served that the American people are not stupid, but the American people also want highways. That is one of the big things they want. In fact, we have a document called a Constitution that says we are supposed to be doing two things here: defending America, and roads and bridges. And I think we both agree on the significance of that.

BURUNDI

I hope I will have time to get into something because our State Department of the United States of America is getting involved in Burundi, in their election. They had a duly-qualified election. The constitutional convention declared that Nkurunziza, who is the President, had a legal election, and we ought to stay out of their business. If there is time, I would like to elaborate on that, but I know I am competing for time.

GITMO

On the President's Gitmo message, we have—I will give a little chronology on that. On January 22, 2009, Obama signed an Executive order to close Gitmo within the year.

On February 3 of that same year, 2009, I introduced a bill to permanently prevent Gitmo detainees from being relocated anywhere in the United States. At that time they were ready to talk about relocating them to parts of my State of Oklahoma, in the Fort Sill area.

In May 2009 I authored bipartisan legislation with Senator Danny Inouye to block funding to close Gitmo and to move the detainees anywhere on U.S. soil. That passed 90 to 6.

Every year since, Congress has blocked the attempts by this President and his administration to close Gitmo or move terrorist detainees into the United States.

Every year, Congress has passed laws that continue to limit the transfer of these detainees, including in the conference report for the fiscal year 2016 NDAA bill. That is what we are talking about right now. It prohibits the transferring of Gitmo detainees to the United States through December 31, 2016. That also tightens the restrictions on the detainees being transferred to other countries.

The fiscal year NDAA also included language preventing closure of Gitmo through December 31, 2016. However, this has not prevented President Obama from trying to empty Gitmo and releasing these terrorist detainees to any country he can pay to take them back and now threatening an Executive order to bring them to the United States—to the States of Colorado, South Carolina, and Kansas—against the will of the Senators from those States, the House Members from those States, and the American people.

This is not the first time the President has gone against the will of the American people and violated our laws. The President violated the law last June when he transferred the Taliban Five from Gitmo in exchange for Sergeant Bergdahl, and my colleagues will

remember that issue. He failed to notify Congress. The laws we passed said they had to notify Congress 30 days in advance of any transfer of terrorists to any facility. His failure to adhere to the law he signed placed our Nation's security at great risk.

Let me just mention—I carry this with me. If people realize whom he turned loose, the Taliban Five—this is a statement that was made by the Taliban commander. His name is Mullah Khan. He was talking about Mohammad Fazl. Keep in mind he was arguably the most dangerous person—terrorist—who was being held in Gitmo. He said:

His return is like pouring 10,000 Taliban fighters into the battle on the side of jihad. Now the Taliban have the right lion to lead them in the final moment before victory in Afghanistan.

These are the kinds of people he is turning loose.

According to the Office of the Director of National Intelligence, 29 percent of the detainees transferred out of Gitmo have either been confirmed or suspected of returning to the fight and killing Americans. That is how serious this is.

Gitmo is outside the sovereign territory of the United States, which means detainees held there do not have constitutional rights. But if we put them back in the United States, it is very likely they would have those rights.

I have a quote from former U.S. Attorney General Michael Mukasey, who said:

The question of what constitutional rights may apply to aliens in government custody is unsettled, but it is clear from existing jurisprudence that physical presence in the United States would be a significant, if not a decisive, factor.

I am also concerned about the security of the people here who would have to guard these terrorists.

Back when a Thomson, IL, prison was discussed—that was in 2009—Representative MARK KIRK—at that time he was in the House; that was before he was in the Senate—called the move “an unnecessary risk,” and other Illinois Members were concerned that the transfer of prisoners—some for trial and some for indefinite detention—could make the State a target for terrorists. MARK KIRK was then and is now correct that prisons holding these detainees will become magnets, and there is the very real possibility that these detainees would recruit more terrorists.

We have to keep in mind that a terrorist is not a criminal. A terrorist is someone who trains other people to be terrorists, and that is what we would be seeing happening in our courts.

FBI Director Robert Mueller said there is the very real possibility that Gitmo detainees will recruit more terrorists from among the Federal inmate population and continue Al Qaeda operations from outside the country.

I have been to Gitmo several times, as has the occupier of the chair. It is a

state-of-the-art facility that provides humane treatment for all detainees. When I was there, the biggest problem they had with the detainees was that they were overweight. They are all obese because they are eating so well. It is fully in compliance with the Geneva Convention and provides treatment and oversight that exceed any maximum security prison in the world, as tested by human rights organizations such as the Red Cross, Attorney General Holder, and an independent commission led by Admiral Walsh. It is a secure location away from population centers, and it has a \$12 million expeditionary legal complex. That is a courtroom. We can't use our courtrooms because of the confidentiality of information that is extracted from these individuals and used in the courtroom, so they use the expeditionary legal complex.

The last thing I would say is that it is clear that—and this comes from former CIA Director Leon Panetta. He was talking about the fact that our President—talking about the way they were able to get the bad guy, and what they have refused to understand is the information they extracted at Gitmo was used to actually capture Osama bin Laden.

Anyway, we don't want that to happen, we can't afford to let that happen, and we are going to do everything we can to keep the President from making that happen. This has become an obsession of his, and we are not going to let that happen.

BURUNDI

Lastly, I do want to mention that on this whole issue in Burundi right now, we have to understand in this country that there are other nations that have their own systems of government. They are the ones that have their elections. In this case, I happened to be there in Burundi when the court declared that the incumbent President, Nkurunziza, was qualified to run again, even though they have a term limit. The first term was not a complete term, so that didn't count, according to the court. For us to come in afterward and say “Well, we think the court was wrong, we don't think he is qualified to run, and we are going to withhold things from that country” is something we should not be doing in this country.

I can assure my colleagues that the six Members who went with me over there were all on the scene and agreed that Nkurunziza should be legitimately elected, and we should stay out of their business.

With that, I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 1:39 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

DRIVE ACT—Continued

The PRESIDING OFFICER. Under the previous order, the time until 2:45 p.m. is equally divided.

The Senator from Mississippi.

Mr. WICKER. Mr. President, I ask unanimous consent to speak for 10 minutes.

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

Mr. WICKER. Mr. President, in a few moments we are going to vote on a motion to instruct the conferees on the highway bill. It will be a motion to instruct them not to proceed with a Federal mandate that would force these long double trailers called twin 33s on the 38 States where currently they are illegal.

This Senator would observe that it is not often we get a chance to vote on a motion that will accomplish so much. We are going to get a chance in 30 minutes or so to vote on a motion that will save lives. It is a motion that would prohibit a Federal mandate, that supports small business, and that would save \$1.2 billion to \$1.8 billion per year in highway maintenance. It is a vote that is supported by an overwhelming majority of the American people. This is a rare opportunity for us to come together on a motion that does all of those things.

It is also a bipartisan motion to instruct. It will be sponsored by the Senator from California, Senator FEINSTEIN, and there will be bipartisan votes for the motion on both sides of the aisle.

Now, why are we here? The motion is here because it stems from an amendment in the Appropriations Committee to the Transportation appropriations bill, which would require every State to allow these twin 33-foot trailers on Federal highways. Currently some 12 States do allow them. They have a right to do that, and if they made a considered decision in their State legislatures and in consultation with their departments of transportation, then more power to them.

Well, 38 States say that these trucks are not safe and that these trucks are too long. They tell us they don't want them on the highways. I think we should respect that decision by these 38 States.

Who supports the Wicker-Feinstein motion to instruct the conferees? I go back to the point that this is a vote to save lives. Who says this? AAA, a respected nationwide organization that knows quite a bit about highway safety, says support the Wicker amendment. Don't mandate on 38 States something they don't want to do with these extra long trucks.

I would point out on this diagram the size of the average passenger car. Look how much longer this proposed twin 33 double rig with the tractor part on the front is. Frankly, the American people don't want to contend with these long double trailers on their roads.

The Advocates for Highway and Auto Safety say this isn't safe. A “yes” vote