

with eight members for a year. That is not acceptable to the people of our country. We need to do our job.

I ask my Senate colleagues, my Republican friends, to enable the Senate to do our advice and consent role and do our job as set forth in the U.S. Constitution.

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 12:45 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

## ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2016—Continued

The PRESIDING OFFICER. The Senator from Colorado.

### NOMINATION OF MERRICK GARLAND

Mr. BENNET. Mr. President, I rise to discuss the vacancy on the Supreme Court and the majority's ongoing refusal to consider the nomination of Chief Judge Merrick Garland. Forty days have passed since the President of the United States nominated Judge Garland to fill Justice Scalia's seat. This is longer than it took for the Senate to confirm Justice Sandra Day O'Connor in 1981. In fact, 75 percent of all Supreme Court Justices have been confirmed within 31 days, but today—40 days after his nomination—many Senators haven't even extended Judge Garland the simple courtesy of a meeting. The majority's refusal to hold a vote is without precedent, and the majority has cited none. Instead, the majority is trying to shift the blame.

Incredibly, the chairman of the Judiciary Committee recently came to the floor to blame, of all people, not other Senators, not other politicians, but the Chief Justice of the United States of America for politicizing the Court. Ten days before Justice Scalia's death, the Chief Justice said: "The process is not functioning very well." That turns out to have been something of an understatement. The Chief Justice went on and said that the process "is being used for something other than ensuring the qualifications of the nominees." Again, he was not referring to what is going on now in the Senate. This happened before Justice Scalia passed away. There was no way that the Chief Justice could have known there was going to be a vacancy. He continued: "[Supreme Court Justices] don't work as Democrats or Republicans . . . and I think it's a very unfortunate impression the public might get from the confirmation process."

His words struck me—particularly given what has gone on since then—as a candid expression of his concern for the Court as an institution. This con-

cern apparently upset the chairman of the Judiciary Committee. He took to the floor and said:

The Chief Justice has it exactly backwards. The confirmation process doesn't make the Justices appear political.

He continued:

The confirmation process has gotten political precisely because the Court has drifted from the constitutional text, and rendered decisions based instead on policy preferences.

It is absolutely breathtaking that the Chief Justice would be criticized for "drifting from the constitutional text" when, for the past 10 weeks, the majority has drifted from article II, section 2, clause 2, which sets out our constitutional responsibility to advise and consent in very clear terms. Worse, the majority's drift isn't even about policy; it is about politics. It is about rolling the dice on an election instead of following the plain text of the Constitution.

This is absolutely unprecedented in the history of the Senate. Throughout our history, the Senate has confirmed 17 nominees in Presidential election years to serve on the Supreme Court. The last of these was Justice Kennedy in 1988. When the President made this nomination, he had more than 340 days left in his term. We are talking almost a quarter of the President's term. That is a lot more time than most of those 17 Justices had before this Senate.

In the last 100 years, every nominee to a Supreme Court vacancy who did not withdraw—and a couple did—received a timely hearing and vote. On average, the Senate has begun hearings within 40 days of the President's nomination and voted to confirm 70 days after the President's nomination. There is no excuse for not holding a hearing and a vote.

If that is what we are going to pay attention to in this Chamber and if that is what we are going to argue for—originalism, strict constructionism—the plain language of the Constitution is clear. There is a reason why no Senate has ever had the audacity to do what this Senate is doing right now—because of how clear that mission is and because there is no one else to do it. The Constitution says: The Senate shall advise and consent. It doesn't say: The House of Representatives shall have a role. It doesn't say: Let the people decide. It says that this is the Senate's job. We should do our job just as every Senate, until now, has done its job since the founding of the country, including the Senate that was there when George Washington was in office. Three of those 17 appointments were confirmed by a Senate that actually contained people who had been at the constitutional convention, and they were consistent with their understanding of what the Founders had agreed to. They had a vote on the floor of the Senate.

I am not saying how people should vote. They should vote their conscience, but we should have a vote. The

American people expect us to do our job.

I want to be clear that I believe there should be hearings. I think we should go through hearings to establish the qualifications of the nominee. I think that is really important. The point I am making about having this vote does not have to do with whom the President nominated. It has to do with our institutional responsibility. It has to do with the rule of law and the image we want to project to our country and overseas.

Finally, I have a word to say about the President's nominee. Merrick Garland is an honored and accomplished judge. Two weeks ago I had the opportunity to meet with him and learn about his judicial record and philosophy. I have known Chief Judge Garland for more than 20 years. I have actually worked for him at the Justice Department when we both worked for the Deputy Attorney General of the United States. I was fresh out of law school, but even then Judge Garland's humility, work ethic, and commitment to the rule of law inspired me and continue to inspire me.

Our meeting last week confirmed what I already know. Judge Garland is an intelligent and pragmatic judge who is extraordinarily well-qualified to serve on the Supreme Court. I have wondered whether that is the reason the majority is not holding hearings. They could simply hold the hearings and vote against Judge Garland, which is their prerogative. Why not hold hearings? Maybe they know that the American people, given the opportunity to hear directly from Judge Garland, would see that he is precisely the type of judge who should serve on the Court.

A vacancy on the Supreme Court is a rare thing. It doesn't come around very often. For those of us in this country, whether we are in the Senate or in a classroom somewhere, those vacancies, hearings, and debates on the floor present an unparalleled opportunity—a remarkable opportunity—for the American people to engage in a debate about the Court, the Constitution, and all kinds of issues that the Court will consider. That is what these hearings are about. That is what could be going on this summer during this Presidential election year, and we would have a discussion about where we want to head as a country. We are not having it. We are not having it because of this unprecedented action.

Because of what the majority has done here, by not meeting with the nominee or holding a hearing, they are denying him the opportunity to make his case to the American people. In the meantime—and this is really critical—the Court will continue to be impaired. Impaired is the word that Justice Scalia himself used when he was asked to recuse himself from a case involving Dick Cheney, then the Vice President of the United States. In that case, he was asked if there would be a presumption of recusal. Justice Scalia's answer

to that was this: Maybe if I were on the court of appeals—because if I were on the court of appeals, there would be somebody to replace me, but that is not how it works on the Supreme Court. When there is a vacancy on the Supreme Court, leaving the Court with only eight Justices, there is nobody who can fill in. There is nobody to become the ninth Justice. He said that the Court would therefore be impaired.

The action that is being taken right now threatens to impair the Supreme Court not for one session but for two sessions of the Court before there is another election. In fact, for the third time since Justice Scalia's death, the Supreme Court could not resolve a dispute because of a 4-to-4 split. The longer this vacancy remains, the more uncertainty and confusion the American people will suffer. As I said, two terms of the Court will be jeopardized by petty politics.

Believe me, I know it has become fashionable for Washington to tear down rather than work to improve the democratic institutions that generations of Americans have built, but to so cavalierly impair the judicial branch of our government is pathetic.

It is time for the Senate to do its job as every Senate has done before us. Again, I am not asking my colleagues to support Judge Garland's nomination. That is a matter of conscience for each of us. But we must fulfill our basic constitutional obligation of holding a hearing and a vote. This is literally—because it is in the Constitution and no one else is granted this power—the least we can do to demonstrate that we are a legislative body that functions as the Constitution requires.

We certainly have plenty of time. In view of that, if by contrast we leave for our scheduled 7 weeks of summer vacation—which is not enshrined in the Constitution but is a schedule that is set by the Senate—without having fulfilled our responsibility, the American people should demand that we return to Washington and do our job.

It is past time for my colleagues to meet with Judge Garland, hold hearings on his record, and give the American people an up-or-down vote on this judicial vacancy.

I thank the Presiding Officer.

I yield the floor.

THE PRESIDING OFFICER. The Senate majority whip.

#### THE APPROPRIATIONS PROCESS

Mr. CORNYN. Mr. President, I fear that sometimes here in the Senate we get bogged down in the minutia and the process and don't really talk about the why of how things are done here. We talk a lot about the how, but we don't talk about the why. I just want to speak for a couple of minutes about why it is so important that we pass the regular appropriation bills and put what we are trying to do here in a larger context.

Our colleagues will remember that last year we were unable to pass the 12

regular appropriation bills because our Democratic colleagues filibustered those pieces of legislation in order to force a negotiation to raise the spending caps on discretionary spending. I regret that. I wish it hadn't happened, but it did and there is not much we can do about it. But in the process, what happened is that we ended up having to pass a fiscal year-end omnibus appropriations bill that lacked any basic transparency. There was about \$1 trillion-plus worth of spending, and I think most people's reaction is this: Why do you have to do business in such a terrible way that lacks transparency, doesn't let people know what is in the bill, and doesn't let all 100 Senators contribute to the product? The reason is because our Democratic colleagues blocked those bills.

I hope it is different this year because now those top-line numbers for discretionary spending are fixed in law. What we are trying to do, starting with the Energy and Water appropriations bill that Senator ALEXANDER and Senator FEINSTEIN are working through the legislative process, is to begin the process of passing those regular appropriation bills. I hope and trust we will conclude with this piece of legislation this week and then we will move on to the next legislative vehicle, which will probably be the transportation, housing, and urban development legislation, the so-called THUD bill around here.

We have actually demonstrated that by providing an open process, we can actually get some things done. We all recall last Congress—a year and a half ago. The fact of the matter is that a decision had been made by the then-majority leader, Senator REID, not to allow Senators to participate in the amendment process on the floor. As a consequence, it wasn't just those of us in the minority who were prohibited from offering legislation that would actually improve the product that was on the floor, it included Members of his own political party. So they had to go home at election time and explain to their constituents back home: I may be in the majority, but I couldn't get an amendment voted on, on the Senate floor.

Having learned from that experience, Senator MCCONNELL and we decided that the best thing to do is to have an open process by which Members of the majority party and minority party, Democrats and Republicans alike—anybody who has a good idea—can come forward and get a vote on that legislation. We had a couple of recent bipartisan successes. Yes, I know in some corners "bipartisanship" is a dirty word, but the fact is, you can't get anything done around here unless it is bipartisan. Our Constitution was written in a way to force consensus to be built. In an absence of consensus, nothing gets done.

So we have had a couple of recent successes, in addition to our work on appropriations bills, including the Energy Policy Modernization Act. One of

the most important parts of that legislation from my perspective is that back in Texas we saw an expedited process for the approval of liquefied natural gas export terminals. That is very important to our economy and something that takes advantage of an incredible resource we have in America—natural gas—which we would like to sell to our allies and friends around the world when they don't have it. That is something that builds jobs in America. It helps grow our economy. It helps provide a lifeline to many of our allies around the world, for whom energy is being used simply as a weapon by people like Vladimir Putin.

We also voted to reauthorize the Federal Aviation Administration bill. Obviously, this is important for public safety—to make sure our skies are safe—but also to provide the appropriate regulatory regime for the airline industry.

Looked at individually, these bills may not seem like an end-all or be-all, but they are part of a bigger picture and part of a larger goal, which is getting this legislative body back to work again, as it was meant to do, considering and passing legislation that will impact our country for the better. Don't get me wrong. Sometimes the right answer is to stop bad ideas. Sometimes the right idea is to stop bad ideas, but where there is an opportunity for consensus and where we can actually craft something that helps move our country forward—I believe all 100 Senators came here with that sort of goal in mind.

The bottom line is, we are working again to advance the priorities of the American people. In the same way we debate and discuss the Energy and Water appropriations bill, we have to keep the bigger picture in mind. It is not just about passing a single appropriations bill or to check items off our to-do list, it is part of a larger process, which is to fund the Federal Government in a fiscally responsible way, hopefully—that is our goal—and to make sure we review the programs that are funded by Federal appropriations and make sure they are still the priorities we believe they should be. If they aren't, then they shouldn't be funded. That is part of the process—to go back and look at what the programs are, whether they are still working, whether they are still necessary, and if they are not working or no longer necessary, then we simply no longer fund those as part of the appropriations process.

We know this sets our country's priorities by giving guidance on everything we support—from our veterans to how we provide for our energy structure needs, to how we equip and train our troops. Funding the government is actually one of the most important and basic duties of the Congress. As the Senator from Tennessee has pointed out, one of the biggest problems we have—one we are not going to solve here today or this week, unfortunately—is that so much of the money

that gets spent by the Federal Government is on autopilot—so-called mandatory spending. In other words, it is not even subject to the appropriations process in the Senate. Currently, only about one-third of the money the Federal Government spends actually goes through this sort of transparent and open process, where everybody knows what is going on and can offer their input. The rest of the money is spent on autopilot, and it is projected to rise, according to one recent projection I saw, at a rate of roughly 5.3 percent over the next 30 years.

We know that is far beyond the rate of inflation, and it is an unsustainable amount of spending. Some of the most important programs that are government funded, such as Medicare or Social Security, cannot be sustained at the current level of spending unless we do everything we can within our ability to shore them up and save them for the next generation. That is what we actually need to be doing in the larger picture.

Until that day, we can continue to do what we can to deal responsibly with discretionary spending, and that is what we are trying to do. If we don't deal with these appropriations bills in a methodical and deliberate sort of way—all 12 of them—we are going to find ourselves at the end of September, at the end of the fiscal year, back in the same situation we were in last year—with the need for an omnibus appropriations bill or a continuing resolution, which is something I know there is not a lot of appetite for.

#### ZIKA VIRUS

Mr. President, let me just say a word about the Zika virus and the emergency funding request made by the President. Some of our colleagues—notably the Democratic leader and the Democratic whip—talked about this this morning and raised the question of whether we are going to responsibly deal with this threat of the Zika virus. I can tell my colleagues we will. We are committed on a bipartisan basis to try to make sure we respond responsibly both from a public safety point of view and from a fiscal point of view.

The President requested \$1.9 billion. Thankfully, there is money that has been identified that was left over from the Ebola threat—some \$500 million—that can be used as a downpayment to make sure our world-class scientists, like the ones I have met at the University of Texas medical branch in Galveston and just this last week at the Texas Medical Center, are doing the research that is necessary in order to identify how to stop this threat by controlling the mosquitoes that bring it into the country. We know the mosquito that carries the Zika virus is common in more temperate and warmer parts of the country, and that is why it has been primarily a threat in Brazil and places like Haiti and Puerto Rico. We also know that in places like Texas, Florida, and Louisiana, this mosquito is present and there are already estab-

lished cases of Zika, primarily occurring in, I believe, either people who have traveled to Central America or South America and who have been bitten and brought it back with them or, in the case of—apparently it has now been discovered that this virus can be sexually transmitted. So one of the things we need to make sure of, particularly for every woman of child-bearing age, is that they get the sort of protection they need so these horrific birth defects that we have seen in the news don't occur. We are all committed to doing that.

We also ought to make sure we don't overshoot our goal and write a blank check for something when we don't even know what the plan of attack is. In some ways, this is like the President asking us to fund a war without telling us what his strategy is for fighting and winning that war. I think that is the sort of commonsense question our constituents want us to ask, and which we should ask.

I realize not everything is knowable. Hopefully, within a couple of years, our scientific community will have developed a vaccine which can protect people from this virus, but in the meantime we need to continue to fund the basic research. We need to continue to fund at the local level the mosquito eradication, and we need to keep our eye on this emerging threat.

We can do that, and we will do that in a responsible sort of way. We don't need our colleagues on the Democratic side to say we have to do it right here, right now, without even having a plan from the administration on how we will fight and win this war against the Zika virus and hold up the regular appropriations process. I can tell from the saber-rattling going on from some of my colleagues across the aisle that they are looking for a reason to disrupt the regular appropriations process and that can be a mistake. First of all, it will not accomplish anything that can't otherwise be accomplished in terms of funding our research and the fight against the Zika virus. We are committed to doing that in a bipartisan sort of way but in a responsible sort of way that doesn't add to the national debt and pass the bill on to the next generation, as well as a proportional response to the threat. Just throwing money at it without a plan does not seem like a responsible thing to do.

I implore our colleagues across the aisle, do not try to use the Zika crisis to hold hostage our ability to do our regular appropriations work. It is too important to avoid the year-end Omnibus appropriations bill that nobody says they like, and it is important for us to demonstrate—as we have tried to and I believe succeeded in doing, in large part—that we can continue to do our work day in and day out on a bipartisan, responsible basis, not that we are all going to agree on everything—that is just not the way people are built—nor do they want us to agree on

everything. This is the place where we have the great debates on the issues that confront our country, both now and in the future, and that is appropriate. Nobody should take it personally. We need to have those debates. We need to have those verbal confrontations so we can get to the truth and figure the best path forward for the country.

So we are not here to kick the can down the road. We are here to do the Nation's business, and we are here to deliver results to the American people. I hope we can continue to do that by carefully discussing, debating, and then voting on all 12 appropriations bills.

In addition to talking about how, I hope to explain a little bit of the why it is so important that we do this now in order to avoid that year-end rush to an omnibus appropriations bill later on.

Mr. President, I don't see any other Senators seeking recognition, so 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. PORTMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. PORTMAN. Mr. President, first, to the majority whip, I thank him for his comments on the Zika virus. He is absolutely right to raise awareness of that issue. It is a great concern. In Ohio we happen to have some military assets that have been used in the past for aerial spraying, and I know they are interested in being even more involved in some of the eradication of some of these mosquitoes in the southern part of the country that may end up causing some of this infection. It is a very serious matter, and I am glad to know the Appropriations Committee is working on it as well as our authorizing committees. I know the Senator from Texas has a personal interest in this.

I rise to speak about the underlying legislation—the Energy and Water appropriations bill. I thank the chairman of that committee, Senator ALEXANDER, for working with me to include a couple of important provisions for the State of Ohio.

One is the cleanup of what is known as the Portsmouth Gaseous Diffusion Plant. This is a site that for half a century enriched uranium. This uranium was used by our Navy, for our military, and for other purposes, including our nuclear arsenals, but it also has been used for our powerplants. So for decades the people in Piketon, OH, have been helping keep Americans safe and also helping thousands of Ohioans to keep the lights on and to stay warm at a reasonable cost. Now we have to clean up this facility. We moved on to other technology. It is an efficient

technology, but it is a heck of a cleanup removing all this gaseous diffusion material and properly disposing of it.

This cleanup effort employs about 2,000 Ohioans. They are doing their job and doing it very well. We have to support them. Unfortunately, over the years they have not gotten the support they deserve. In a 2008 campaign trip to Ohio, the President gave a commitment that he would accelerate that cleanup. Frankly, that just hasn't happened under the President's budget, so every year we have to fight for more funding to be sure that we can continue the cleanup, which is so important, but also to ensure that we aren't losing jobs in Pike County. We just had this tragic occurrence where we had four different homes where family members were present during the horrible shooting out there in Pike County. This is one of the counties in Ohio that have relatively high unemployment. It is a county that has a lot of economic issues. These 2,000 jobs are good-paying jobs with good benefits, so it is very important that we keep the jobs there.

Just as importantly, it is the right thing to do for the taxpayers because as the Obama administration has pulled back funding for this cleanup, it ends up costing the taxpayers more because delaying this cleanup ends up adding huge additional costs as funding is cut back and there is less cleanup going on. Our analysis shows that an accelerated cleanup could save the taxpayers \$4 billion, getting this done and moving the site on to commercial use. Having adequate funding will save the taxpayers money.

Second, cleaning up the radioactive waste and other hazardous waste there is incredibly important for the community. It makes that site cleaner, of course, and is better for the environment. It is important for the community and these people who have for many years been providing us with the enriched uranium for our military and for our powerplants to know they are not going to be left with this environmental problem.

Third, these are good-paying jobs in a county that really needs them.

Finally, we owe it to the community to clean up the site so they can redevelop it. They want to reindustrialize this site, and it is a great location to do maybe an energy project or maybe a nuclear powerplant at some point and other exciting opportunities, but they have to clean up what is there in order for the site to be used for that.

The people of Piketon have helped shore up our economy and our national defense. We owe it to them to clean up this site. I am pleased that in this legislation we are considering an increase of \$20 million over this year's level of cleanup work and an additional \$20 million over this year's level for constructing a needed onsite disposal cell. We are at the point where we need to dispose of this material, and we need more money for that disposal cell. I am

hoping that the House will increase the funding for the disposal cell even more, and if so, we will work in conference to get that number up further because that makes a lot of sense in order to actually move forward on this cleanup for all the reasons I have stated.

Again, I thank the chairman, Senator ALEXANDER, for his help on this. One thing the chairman knows well is that part of the funding for the cleanup work comes from the Department of Energy's barter of uranium. I ask that as we move forward with the completion of this legislation over the next few months, if the price of uranium should change—should drop—that the chairman continue to work with us to ensure that there are no job losses and to ensure that the cleanup work is not delayed as it has been in the past.

Second, I thank the chairman for including another provision that is incredibly important to Ohio and to Lake Erie. For many years the Army Corps of Engineers has been dredging the Cuyahoga River. It is necessary to do that for commercial purposes. They have a big steel plant there, which anybody who comes to the Republican Convention will see. It is very important, for that plant and other commercial purposes, to keep this waterway open for boat traffic, including bringing iron ore in for the steel mills.

Unfortunately, the U.S. Army Corps of Engineers wants to take the dredge from the river and dump it into Lake Erie. Time and time again, the Ohio Environmental Protection Agency and others have said this is not good for the environment. Specifically, the dredge has PCB material. The PCB pollutants get into the fish, and the Ohio EPA has told them that if they keep dumping it into the lake, at some point they will have to issue a warning that the walleye in Lake Erie, which is our great game fish, is not to be eaten more than a certain number of times per month. This would kill the fishing industry. It is also the wrong thing to do with all the algal bloom problems we have in the lake because that is driven by nitrogen and phosphorous mostly, and those nutrients would get into the lake through this dumping. So we are saying: Let's use an onsite disposal facility. We have one on land that they can use. They are refusing to do that.

The Army Corps of Engineers has gone so far as to, in the last appropriations bill, actually cut their own funding—which is something I have never seen before—to not be able to meet the requirement we put into law, saying that they have to provide for the disposal of this product not into the lake but onto a land facility.

We have now worked with Chairman ALEXANDER to include language in this legislation before us. Senator SHERROD BROWN and I were successful in getting that in last year. Once again we are working with the chairman to get that language in this year. I thank Senator ALEXANDER for including it. It main-

tains the requirement that ensures that the Corps uphold its funding obligations to dispose of this dredge material upland and not in the lake.

Again, it concerns me that the Corps seems to want to try to get around this. In fact, instead of putting money into the operations and maintenance account, as they are required to do to comply with not just what Congress says but, frankly, what the court has ordered them to do—because the court has consistently said they have to dredge and then dump on land, they have actually put that into a risky position by saying they don't need the funding. They have gone so far as to indicate that maybe other dredging projects on Lake Erie or other Lake Erie funding could be in jeopardy of not receiving the full amount of money they need if there is a need to dispose of this on land.

There is a better way. The Corps should request use of unallocated funds provided by Congress in order to dispose of the dredge material at Cleveland Harbor safely without putting other projects at risk. They can do that.

Our Permanent Subcommittee on Investigations, which I chair, is currently investigating whether the Corps intentionally requested a decrease in funding in last year's spending bill so that they would have no choice but to dump this dredge material into the harbor. I hope that is not true. I hope we find out that is not what happened, but there are indications of that. Again, doing so would threaten the health of the area, the city of Cleveland, Lake Erie's ecosystem, and specifically our fishing industry in Lake Erie, which is so critical to economic growth in that area. Lake Erie is the most productive of all of our Great Lakes in terms of fishing. It has a \$6 billion fishing industry and is the No. 1 tourist attraction in Ohio.

I urge the Corps to revise its work plan for this year to request the additional funds necessary to safely dispose of the dredge sediment at the Cleveland Harbor during the 2016 dredging season if, as I suspect, the Federal judge again rules that the Corps cannot place it in Lake Erie. I urge them to work with us to come up with a solution so we can have this dredge material disposed of on land and actually recycle that material so that it has value. A couple of weeks ago when I was at the site, I saw how some of the material is being mixed with other fill and being used not just for landfill but also for gardens and for farming and agriculture purposes. This is a way to take the dredge and to actually have it have value and be able to recycle it.

Mr. President, I thank the Presiding Officer for allowing me to give this statement today and for his patience. I also thank Chairman ALEXANDER and others who have worked with us on this so that we can indeed be sure that we clean up this site and that we are able to get this dredge material coming out

of the Cuyahoga River onto a site on land to avoid the environmental damage that would otherwise occur.

I yield back my time.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. SCHATZ. Thank you, Mr. President.

I ask unanimous consent to speak as in morning business for up to 17 minutes.

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

#### ZIKA VIRUS

Mr. SCHATZ. Mr. President, I first want to talk about the Zika public health emergency that is coming to the United States of America. We have to act now to fund the administration's request of \$1.9 billion in supplemental funding.

Zika is a disease carried by the *Aedes aegypti* mosquito, a vector that has already caused a dengue epidemic in my State of Hawaii. The *Aedes* mosquitoes are in more places than we previously thought throughout the United States.

Zika is the first mosquito-borne illness to be associated with a congenital birth defect. We are continuing to learn more about this devastating disease every day, including its association with Guillain-Barre syndrome—a type of paralysis—eye abnormalities, and more.

While there have not yet been any locally transmitted diseases of Zika in the continental United States, we do have hundreds of travel-related cases and up to 500 cases of active transmission in Puerto Rico, American Samoa, and the U.S. Virgin Islands. As I mentioned, Hawaii is recovering from a dengue epidemic. So we must provide emergency funding for mosquito-borne illnesses, and we must do it now. This is an emergency.

The administration has clearly laid out its request to combat Zika, which includes the following: \$830 million for the CDC. This money would include grants and technical assistance to Puerto Rico and the U.S. territories and help our domestic and international response activities; about \$250 million for the Centers for Medicare and Medicaid Services, or CMS, to increase the Federal match rate to Puerto Rico; and several hundred million dollars for the National Institutes of Health and BARDA to invest in vaccine research and development. That is the long-term solution. There is a high degree of competence that we will be able to get a vaccine but not without the funding. This is an absolute emergency. We need \$10 million for the FDA vaccine and diagnostics development and review, which is absolutely critical—we don't have diagnostic tests that are quite as efficient and effective as we are eventually going to need—and \$335 million for USAID efforts abroad in public health infrastructure.

I was fortunate to visit the CDC in Atlanta a couple of weeks ago to learn more about their efforts to combat

Zika, dengue, and other vector-borne diseases. I saw firsthand how the CDC has activated its Level 1 Emergency Operations Center to combat Zika. During my questions at the Labor-HHS appropriations hearings, I heard how the CDC is strapped for funds and has already programmed its Ebola funds and how these Ebola funds are critically needed to prevent another Ebola crisis. I have total confidence in the CDC, but they need this emergency funding request to be granted.

We are about to go on a 1-week recess. There is no reason that we can't at least get on the supplemental this week. This is an absolute emergency. There are a lot of things we are doing that are important this week in terms of individual appropriations bills, but let's be clear: None of these appropriations bills are going to pass in the next week or even the next month. We still have the House that needs to take action, and there is no doubt we are going to go to conference. So in terms of whatever other legislative vehicles are pending or about to be pending, there is no urgency for us to move to those instead of what is happening right now in terms of a public health emergency with Zika. This is an absolute emergency.

The reason this is not smashing through every headline online, on television, in the newspapers, and on the radio is that it is still cold outside in a lot of places and the mosquitoes haven't come out. This is about to be a very serious public health crisis.

For those of us who have differing views about the size and scope of government, I just want to say this: We have arguments about the EPA's role, about the Department of Human Services' role, about the Department of Education's role, and the size and scope of government across the board, but can't we agree that government's basic job is to protect its citizens, and can't we agree that the CDC is one of the best agencies in the government across the board, and can't we agree that this is a real emergency and ought not to wait until May or June or July and ought to be taken up immediately?

Mr. President, this is an emergency, and we ought to fund the supplemental on a big bipartisan vote.

#### TRANS-PACIFIC PARTNERSHIP

Mr. President, I would like to talk about the Trans-Pacific Partnership. Many promises were made about the TPP. Before the final text was available, I received dozens of phone calls from advocates of the deal asking for my support. They said that this trade agreement was going to be different; that it would raise standards rather than lower them; and that my concerns about labor, the environment, climate change, public health, and consumer protection would be addressed. But since the text was released, I have read it, and unfortunately this deal does not turn out to be any different from the previous deals. It looks like just another race to the bottom.

Proponents claimed that the labor and environment chapters would contain enforceable commitments, and I know a lot of people worked very hard to make that true. But when you look closely at the wording of these chapters, you see that the commitments are basically just strongly worded suggestions. There are very few requirements. Instead, the countries have promised to "promote," "encourage," "cooperate," "strive," and "endeavor" to do various things. I have no clue how one can enforce an obligation to encourage something or discourage something. Many of the provisions contain this weak language, carefully written by lawyers to be unenforceable.

Here are a few examples from the environment chapter, which is particularly weak.

First, the chapter opens with a general commitment that "each Party shall strive to ensure that its environmental laws . . . provide for, and encourage, high levels of environmental protection." That is right; they are to "strive to ensure."

On transitioning to a low-emissions economy, "Parties shall cooperate to address matters of joint or common interest." There is nothing more on climate change whatsoever.

On marine animal conservation, "Each party shall promote the long-term conservation" of sharks and various marine animals through "such measures" considered appropriate. I don't even know what that means. What is clear is that none of this is enforceable. So the problem is, no accountability. There is no requirement that countries meet their obligations before Congress has to vote on the agreement and no independent verification of whether those obligations are ever met.

We will vote to open our markets on day one to goods made under terrible labor and environmental conditions and hope that over time, after we have forfeited our leverage, these countries will implement and enforce the kinds of labor laws our country has had for decades.

What this means is that we are giving them the deal, and after we forfeit all of our leverage, we hope they will see the light and do the right thing. Take Vietnam as an example. The economic benefits to Vietnam of reduced or eliminated U.S. duties are enormous. Importers from Vietnam currently pay around \$2 billion in annual tariffs. Most of that comes from imports of apparel and footwear—industries that frequently utilize forced and child labor. Although Vietnam is supposed to comply on day one with the labor side agreement it signed with the United States, there is no independent verification. The side agreement sets up a long process of consultation before punitive action can be taken. At that point, Vietnam will already be enjoying the benefit of the elimination of the tariff, and the United States will have lost jobs that cannot compete

with forced child labor. No punitive action will bring back those jobs.

Now let's talk about the enforcement side. Our track record, unfortunately, is not good. In the limited instances in which there are enforcement mechanisms in our trade agreements, we rarely utilize them. Recently, the GAO reported a systemic failure to enforce labor and environmental commitments across several trade agreements, even in light of compelling evidence of violations. The reason for this is that we don't really provide the resources for enforcement. But more importantly, there is a real lack of political will. For instance, the inclusion of Malaysia in this trade zone gives us insight into the lack of political will.

When we debated fast-track authority last year, Congress agreed on an important negotiating objective: No trade deals with countries that earn the worst human trafficking ranking, according to the U.S. State Department. This seems like something everyone ought to agree to. At the time, this included Malaysia, which had the lowest ranking. But just after fast-track became law, Malaysia's ranking was upgraded—to the surprise of human rights experts everywhere. The upgrade allowed the circumvention of Congress's will and the continued inclusion of Malaysia in TPP. This came just a few months after the discovery of human cages and 130 graves at a human trafficking detention camp on the Malaysia-Thailand border. Against this backdrop, it is hard to have confidence that we will ever prioritize labor rights, human rights, or environmental protection over commercial interests.

I am also deeply concerned about the inclusion of investor-state dispute settlement provisions, or ISDS for short. ISDS provides a special forum outside of our court system that is just available to foreign investors. These investors are given the right to sue governments over laws and regulations that impact their businesses—a legal right that is not granted to a labor union, an individual, or anyone else.

Here is how it works: If a decision is made by a national government that is contradicted by a provision in a trade agreement, the trade agreement wins. If a law that we pass contradicts a provision in TPP, TPP trumps our law. Corporations are increasingly seeing this as a viable legal strategy to increase profits and undermine public health and environmental and labor protections.

The ISDS forum is not available to anyone other than foreign corporations. It is not open to domestic businesses, labor unions, civil societies, or individuals who allege a violation of a trade agreement obligation.

The arbitrators in ISDS who preside over these cases are literally not accountable to anyone. Their decisions cannot be appealed. By profession, the arbitrators usually make their living working as lawyers for multinational

corporations. The arbitrators cannot force the government to change its laws, but they can order the government to pay the investor when they lose money as a result of a law that contradicts a trade agreement, which can have the same effect.

It is one thing for the United States to decide to pay a penalty to keep a law in place, but small countries cannot afford to go up against these multinational corporations in the ISDS context. Not only will they repeal their national laws, they sometimes will not enact national laws knowing that they will be subject to fines under this ISDS process.

The government often agrees to change the law or regulation that is being challenged, in addition to paying compensation. The threat of a case can be enough to convince a government to back away from legitimate public health, safety, or environmental policies. The practical implication is potentially sweeping. ISDS could prevent us from addressing climate change, raising the minimum wage, protecting consumers from harmful products, or preventing another financial crisis.

Each time we pass a law or regulation to improve the lives of the American people, foreign investors will effectively have the final say. These risks are not theoretical. In fact, for the United States, the risk of ISDS has become very real. In January, TransCanada—the Canadian company behind the Keystone XL Pipeline—filed a claim against the U.S. Government under NAFTA's ISDS provisions for failing to approve the pipeline. If TransCanada wins, taxpayers—U.S. taxpayers—would be on the hook for \$15 billion in damages being demanded by foreign corporations.

Make no mistake. This is a new strategy for fossil fuel companies to challenge laws and regulations that are attempting to reduce carbon emissions and combat climate change. There are hundreds of billions of dollars at stake, and with that on the line, you have to believe that law firms are spending hours systematically scouring every trade and investment agreement for provisions they can use to invalidate Federal law. This is the legal strategy to bust up laws designed to protect public health, the environment, and consumers.

Corporate interests should not be the driving force for public policy decisions. Yet that is exactly what this trade agreement would allow. A lot of us had hopes that this trade agreement would be different, but in a lot of ways, it is the same as the bad agreements that have come before it, and in some ways, it is actually worse.

We are forfeiting valuable leverage across a huge area of the Asia Pacific that we could have used to lift labor and environmental conditions and level the playing field for our workers. This is not a question of whether you are for trade or whether you believe we should be engaged in the Pacific region, it is a question of how.

This deal is, unfortunately, a lowest common denominator agreement. For these reasons, I must oppose the TPP.

I yield the floor.

The PRESIDING OFFICER (Mr. LANKFORD). The Senator from Wyoming.

#### THE REPUBLICAN-LED SENATE

Mr. BARRASSO. Mr. President, I head home to Wyoming just about every weekend. Lots of people from Wyoming come here to Washington to visit as well. When I am home, I get a chance to talk to people, and here in Washington, I get to talk to people. So yesterday is a day I flew here. I had talked to folks in Wyoming early in the morning and then yesterday afternoon got off the plane, and there were a number of students here from Sheridan High School from "We the People." One of our pages here is also from that high school. So you get to hear a lot from people. Some folks have been asking: What has the Republican Congress actually accomplished? So I would like to take a few minutes to talk a little bit about what the Senate has actually done this year and during this Congress since the Republicans have taken over the majority.

We are not even 4 months into this year, and we have already had a very productive year in the Senate. It is true. We have been active, we have been effective, and it is only April.

In February, we passed legislation to add tough new sanctions against North Korea. As the Presiding Officer knows, the President in the White House was very reluctant when we started proposing these sanctions—hesitant about the sanctions that we proposed against North Korea. Let's face it. North Korea has been aggressively testing missiles, testing nuclear weapons, and needs to be stopped.

When other countries threaten their neighbors, as North Korea has done in their general geographic area, what happens is the United States must stand up and stop them. President Obama has done far too little. I am very concerned about the aggression and the ambitions of North Korea. That is why the Senate had to act. So Congress has stood up and pushed against this action. We had more action against North Korea; that is exactly what we did.

The Senate also acted by passing a Defend Trade Secrets Act to help businesses protect their confidential information.

We passed a piece of legislation called the Comprehensive Addiction and Recovery Act, a bipartisan piece of legislation to help fight the misuse of prescription drugs, in terms of prescription pain killers called opioids. Now, look, it has been a huge problem in our country—communities all around the country. Senator AYOTTE from New Hampshire and Senator PORTMAN of Ohio were two of the main sponsors of this legislation. I know



Senator PORTMAN was on the floor recently, talking about different legislation. But he has shown heroic leadership in an area that certainly needed to be addressed.

The Senate worked and reauthorized the Older Americans Act. This was another bipartisan piece of legislation. It works to help provide senior citizens with things like meals, transportation—ways to help people live in their own homes longer and ways to help in terms of their quality of life, which is very important for Americans all across the country.

We passed legislation to overhaul and reauthorize the Federal Aviation Administration. This is a significant accomplishment. This legislation promotes U.S. aerospace jobs by cutting through some of the redtape that has been hurting airplane designers.

Then, just last week, we passed a comprehensive overhaul of American energy policy, something we had not done in about 8 years. Over the past few years, hard-working Americans have made this country into an energy superpower. Yet we had not passed any kind of major energy legislation for about 8 years because Washington's regulations have simply not kept pace, and they have actually worked against the energy producers, people that are getting back to work, getting this country's economy returned.

The legislation we passed is going to rein in some of this needless, wasteful bureaucracy that the Federal Government has imposed on the people creating energy jobs and working to produce more energy because energy is called a master resource for a reason. We have it in great abundance.

One of the very important parts was language to expedite the shipment of America's natural gas to buyers around the world. It is good for our economy, and it is good for our allies who will be able to decrease their dependence on Russian gas.

Senator LISA MURKOWSKI from Alaska did an outstanding job of making sure that this legislation had ideas from both sides of the aisle. That is a big part of why this piece of major energy legislation—first time in 8 years—passed 85 to 12—85 to 12. That is another big accomplishment of the Senate this year that does not get enough attention. It is not just that we are passing important legislation that helps Americans, but we are doing it in a bipartisan way that allows every Senator—every Member of this body—to represent the people back home with their ideas and their suggestions.

We have voted on 129 amendments so far this year—129 amendments voted on this year. When the Democrats under HARRY REID were in control, a lot of people around here got used to the idea that people did not actually get to vote on amendments. In 2014, the last year under Democratic control under HARRY REID, the Senate had only 15 up-or-down votes on amendments all year—full calendar year 2014.

When Republicans took the majority, we changed that. The Senate has been working this year just as we worked last year. We could have done a lot more if a few Democrats had not blocked progress on some very important pieces of legislation. The people in Wyoming now know that there are some important things they really care about, and they were actually blocked by President Obama. In January, the President vetoed legislation that we had passed to improve health care in this country by repealing major parts of ObamaCare.

Remember, the President said to Democrats that they should forcefully defend and be proud of that health care law, but one out of four Americans—25 percent of Americans—say they have been personally harmed by the President's health care law. So we put it on his desk to do a repeal, and he vetoed that.

Now, only about one in eight people in this country say they have been helped by the health care law. When you take a look at major legislation that impacts the country, it is no surprise that this health care law continues to be very unpopular, especially when you see that for every one person who says they have been helped, there are almost two people who said they have personally been hurt by the law.

The President also vetoed legislation that we passed here to bring some sanity to something called the waters of the United States rule—again, a rule put out in regulation by the President, a reinterpretation of the law. The law is very clear to me, but the President had his own approach. We put a bill on his desk to overturn what he has tried to do. The courts have actually stopped him in his tracks, but he once again vetoed our efforts.

Last year the President actually vetoed five different bills passed by Congress. This kind of obstructionism from President Obama doesn't help our country move forward. It is not helpful when the Democratic leaders do everything they can to convince people that nothing is being done in the Senate, but we hear that day after day from Minority Leader HARRY REID.

It is interesting, because when Senator REID was the majority leader, he had a very firm strategy, and the strategy seemed to be to do as little as possible.

Well, he is now the minority leader, and I think he went from the majority to the minority for a reason. It seems to me that he is still hanging on, clinging on to that losing strategy. The plan didn't work then, and I think that one of the reasons that he continues to try to talk down and slow down some of our progress is because, actually, he is envious—envious of anyone who gets things done in the Senate.

Republicans in the Senate are not interested in working at HARRY REID's pace and neither are the Democrats—many of the Democrats. Most Senators agree that we have a lot of work to do

and that it is good for America when we actually do the work.

That is why we have been working our way through the appropriations bills. This year we got the earliest start ever to appropriations bills—and really in the history of the modern budget process. So we continue to work on that.

I wish to be clear on one important point. Doing our job in the Senate doesn't mean setting aside the priorities of the American people just to help President Obama build a political legacy. That is why the Senate is going to stand firm and strong to give Americans a voice in who gets to fill the vacancy on the Supreme Court. Now President Obama wants us to set aside everything else and let him appoint his Justice to the Supreme Court. It is not going to happen.

We do our job every day, doing the things that will make an immediate difference to the families all across the country, things that Republicans and Democrats agree on and that everybody knows we should be doing. That is what you are seeing with this Republican-run Senate. That is what the people want us to do. That is what they expect us to do, and that is what we will continue to do.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent to speak as in morning business for up to 20 minutes.

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

#### CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, today is the 135th issue I have come to give voice to the issue that I feel will most significantly define this generation of leadership in the United States and, frankly, around the globe.

I know that there are many people in Washington who would prefer to ignore what our carbon emissions are doing to our oceans and to our climate, but we disregard nature's warnings at our peril.

The changes to our environment, fueled by our carbon pollution, are far-reaching—from the coastlines to the prairies, from mountain tops to deep oceans, from pole to pole. As a terrestrial species, we naturally pay more attention to what is happening on land, such as increasing average global temperatures and upheavals in extreme weather. We don't so much see what is happening in our oceans.

Every year we emit into the Earth's thin atmosphere tens of gigatons of carbon dioxide from burning fossil fuels—nearly 36 gigatons of carbon dioxide in 2014. Not all of that carbon dioxide stays in the atmosphere. Our oceans—the Earth's oceans—absorb approximately one-third of all our carbon pollution. That means they have absorbed roughly 600 gigatons in our industrial era.

For the record, a gigaton is a billion tons—not a thousand tons, not a million tons, but a billion tons—and 600

billion tons of carbon dioxide have gone into our oceans. We know what that does. All that carbon dioxide in the oceans changes the ocean's very chemistry, and it makes ocean water more acidic. The chemical reaction, carbon dioxide reacting with water to form carbonic acid, is simple. You can replicate it in a middle school science lab, but its effects in the oceans are profound.

According to research published in the journal *Nature Geoscience*, the rate of change in ocean acidity is already faster than at any time in the past 50 million years on Earth. We are rapidly spiraling into unknown territory. By way of context, the human species has been around on Earth for about 200,000 years. The human species started farming and herding, went from hunting and gathering to the basics of socialized human life less than 20,000 years ago. We are doing something to our planet now that has no precedent for 50 million years.

This line shows the increasing CO<sub>2</sub> in the atmosphere in parts per million. This line shows the absorption of the CO<sub>2</sub> by the ocean, and this line shows the pH change in the oceans as a result. I would point out that pH is actually measured on a logarithmic scale. So if you were to adjust this to the standard percentage-type display of information, you would see this falling much more steeply. This is a very conservative way of showing what is happening to our oceans. The logarithmic scale is a multiple, not just a steady line. So as you move down the pH numbers, you are actually creating much more massive effects in the ocean.

People have measured this drop in ocean pH from climate change. This is not a theory. You can go out and measure it with equipment that is not very different, again, from what a middle school with an aquarium would use to measure pH in the aquarium.

People measure something else in our oceans also. They measure the rise in ocean temperature. For decades, the oceans have absorbed over 90 percent of the excess heat trapped in the atmosphere by greenhouse gas emissions. The heat that comes in, that gets trapped in our thin atmosphere when the Sun's warmth gets trapped by these greenhouse gasses, lands in a variety of places. The Antarctic ice sheet gets two-tenths of a percent of the heat. The Greenland ice sheet gets two-tenths of a percent of the heat. Arctic sea ice gets eight-tenths of a percent of the heat. Glaciers and icecaps take up nine-tenths of a percent of the heat. All of our continents together, the land mass of the Earth, take up 2.1 percent of the added heat from climate change.

The atmosphere, that thin membrane that allows us to live and breathe on this planet, has taken up 2.3 percent of the heat. All the rest of it, 93 percent, has been taken up by the oceans. They are our refrigerant. They are our cooler. They are the air conditioner for the planet. But when you take up that

much, things begin to change, and ocean heat is ramping up.

A study published in the journal *Nature Climate Change* found that in the last 20 years—actually, less than 20, from 1997 to now, to be exact—the oceans absorbed the same amount of heat energy just in that 20-year period as they had in the previous 130 years. That is a dramatic increase in heat uptake by the oceans. It is our human activity, specifically our unfettered burning of fossil fuels, that has made our oceans both warmer overall and more acidic.

One result of this is the calamity now taking place in the world's coral reefs. A healthy coral reef is one of the most productive and diverse ecosystems on Earth. It is an engine for the propagation of life. Coral depends on a symbiotic relationship with tiny, photosynthetic algae called zooxanthellae. They live in the surface tissue of the coral. Within a limited range of temperature, pH, salinity, and water clarity, this symbiosis can thrive, and it gives us reefs all over the world—these engines of life in the ocean. Living coral has evolved for millions of years to maintain its symbiosis within that range. We are now measurably—not theoretically but measurably—altering the ocean in ways too fast for coral to adapt.

Push corals out of their comfort range for very long, and the corals get stressed and they evict their algae. This process is what is known as coral bleaching. Because corals get most of their food out of that symbiotic relationship with these algae, if the algae can't be reabsorbed quickly, the corals die. Coral bleaching sounds benign, but it is like cardiac arrest for a reef. There is a good chance it dies and, even if it doesn't, it is a long recovery. We are currently in the middle of a massive bleaching of the world's coral reefs—cardiac arrest at a global scale.

Dr. Mark Eakin of NOAA's Coral Reef Watch Program says of this coral cataclysm: "It very well may be the worst period of coral bleaching we have seen." And when he says "we have seen," he means that which we have ever seen in the human record.

Worldwide, coral has already declined by approximately 40 percent. Closer to home, across the Caribbean and the Florida Keys, two key coral species have declined by an astonishing 98 percent in the last four decades.

In my lifetime, I have seen once-radiant underwater ecosystems teeming with life become barren fields of white skeletons reaching into an empty ocean. One of my climate trips took me down to Monroe County, FL, where I met Mayor Sylvia Murphy, the Republican mayor of Monroe County, home to the famous Florida Keys. I asked her how the reefs were off the Keys. "Beautiful," she said, "unless you were here 15 years ago."

Australia's Great Barrier Reef is the largest coral ecosystem on Earth. It is one of the seven wonders of the natural

world. Severe bleaching is now hitting "between 60 and 100 percent of corals" on the Great Barrier Reef, according to Dr. Terry Hughes of James Cook University in Queensland, Australia.

Professor Hughes tweeted out a map of the current devastation, writing in the text: "I showed the results of aerial survey of bleaching on the Great Barrier Reef to my students, and then we wept."

As with many other effects of climate change, it can be difficult to convey the magnitude of events when they aren't taking place in front of our terrestrial human faces. In his 2010 TED talk, one of the great marine scientists we have, leading coral ecologist Dr. Jeremy Jackson, tried to bring this coral bleaching calamity a little closer to home. He put it like this:

Imagine you go camping in July somewhere in Europe or North America, and you wake up the next morning, and you look around you, and you see that 80 percent of the trees, as far as you can see, have dropped their leaves and are standing there naked. And you come home, and you discover that 80 percent of all the trees in North America and in Europe have dropped their leaves.

Remember, this is his example from July.

And then you read in the paper a few weeks later, "Oh, by the way, a quarter of those trees died." Well, that's what happened in the Indian Ocean during the 1998 El Niño, an area vastly greater than the size of North America and Europe, when 80 percent of all the corals bleached and a quarter of them died.

Jeremy came to speak to our caucus recently. He told us that every ocean ecosystem he studied in his career is gone, as he first found it, changed dramatically from his first visit.

Coral reefs are one of the first places that truly irreversible effects of climate change seem to be manifesting themselves—the proverbial canary dying in the coal mine of our carbon-ridden planet. To say the ocean we knew in our childhood is already gone is not doomsaying or pessimism, it is a grimly realistic assessment of where we stand, sadly.

In the Senate, there will likely be snickering about this. Some will say: Who gives a damn about coral reefs? If it can't be monetized by a corporation, the hell with it, is too often our motto here. Well, God made these glories. God made them on our planet. In some cases, they have been growing for tens of thousands of years. We are wrecking them in a single generation, and if that doesn't mean something to us, a long look in the mirror might be in order.

Even those who can only see this tragedy through their monetizer goggles ought to know that a decline in healthy coral reefs is a huge blow to us all. According to an article last month in *The Atlantic*, coral reefs are home to 25 percent of the world's fish biodiversity. Reefs are incubators for ocean life, support systems for fisheries we depend on, tourist attractions for divers and snorkelers who fill local communities with their visiting and



their spending, and they are coastal protection for coastal infrastructure and homes against storm waves. It is not nice to fool with Mother Nature. As Pope Francis warned, "God always forgives; mankind sometimes forgives; nature never forgives. You slap her and she will slap you back." As he says, we are sinning with our actions against nature, and nature will not forget.

We just don't have that right. We are making a mark on the Earth in this generation that will not go away. If mankind lasts 10,000 years, well, 10,000 years from now they will see and know the mark of this generation on our planet, and they will justly inquire: How could we have been such fools? How could we, in this generation, have been such greedy, reckless, self-infatuated fools?

In 1954, the United States detonated a hydrogen bomb over the Bikini Atoll in the Marshall Islands. The explosion vaporized everything on three islands, raised water temperatures to as much as 55,000 degrees, and left a crater over a mile wide and 240 feet deep. More than 60 years have gone by and scientists observe the corals in this part of the Pacific flourishing again. If you give it a chance, life finds a way.

Dr. Zoe Richards, one of the scientists involved in the study, said: "The healthy condition of the coral at Bikini Atoll today is proof of their resilience and ability to bounce back from massive disturbances, that is, if the reef is left undisturbed and there are healthy nearby reefs to source the recovery."

So that is the caveat. Reefs can recover but not if we continue to stack the deck oceanwide against them by pumping so much heat and carbon pollution into the oceans.

Senator SCHATZ of Hawaii—not coincidentally another ocean State—introduced, along with me, the American Opportunity Carbon Fee Act last year to address climate change with a market-based solution built on principles espoused by leading Republican economists. We went to Republicans—former Cabinet officials, former Members of Congress, economists, think tanks—and we said: How should we do this? If you don't like the President's plan, if you don't like the regulatory way, what is your way? Virtually every single person on the Republican side who has thought this problem through to a solution has come to the same place, a revenue-neutral carbon fee with an appropriate border adjustment. So that is what we wrote. When you are ready, we are here. We did it your way.

As a Senator, John F. Kennedy once said:

Let us not despair but act. Let us not seek the Republican answer or the Democratic answer but the right answer. Let us not seek to fix the blame for the past—let us accept our own responsibility for the future.

This is particularly true for our oceans. As one Florida mayor put it: "The ocean is not Republican, and it's not Democratic . . . it's a nonpartisan

ocean," and that nonpartisan ocean is screaming warnings at us that we ought to heed in nonpartisan fashion.

We have a clear scientific understanding of the problem, and we have a moral obligation to act. Time is not on our side. We need to pay attention to the evidence. We need to accept the reality of our predicament as it is communicated to us by the laws and signs of nature—God's signals to us on this Earth.

That is what healthy coral looks like under the water. Here it is bleached out and dying. It is our ocean. It is our responsibility. I urge this body to wake up and lead.

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

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

#### TRIBUTE TO DR. EMILY LEMBECK

Mr. ISAKSON. Mr. President, I come to the floor of the Senate to do something I periodically like to do when a citizen of my State deserves recognition for the contributions they have made to my State and the citizens of my State. Today is such a day.

Dr. Emily Lembeck is the superintendent of the Marietta City Public School System. Recently, she was inducted into the Hall of Fame for Education, and her palm print is embedded in the walk around Glover Park Square in Marietta, GA.

I am close to Emily in more ways than one. When I chaired the State board of education in 1996, she was an elementary school principal at Dunleith Elementary in Marietta, GA. She had been at West Side, she moved on to Marietta Middle School, and later became superintendent of the Marietta Public Schools—8,900 students, 1,200 employees—a challenge but a wonderful community.

Throughout her career, she has gifted more to children in our community than any person I know of. In particular, she has taught those who didn't know how to read to read. She has made reading a passion in our community. She has made children's ability to read and comprehend and understand and move forward in life a reality, in a place where at one time it was no reality at all.

In fact, let me tell you, when I was chairman of the State board of education we were working hard to make Reading First a movement in this country. She came forward with this idea about adopting something called Marietta Reads. It was a very simple program but a program where leaders in the community, such as I, would come to elementary schools in Marietta, GA, sit down "Indian style" on the floor with first graders and teach them to read, read with them, and help

them identify with the joy of reading and the understanding of reading. From that day, I gained a greater appreciation for the challenge every teacher faces as they teach our children in classrooms.

Emily Lembeck has been awarded almost every award you can possibly get, from the chamber of commerce to the Kiwanis Club, to the Rotary. She has received the Living the Dream Award from the NAACP during King Week a few years ago, she received the Whitney M. Young Jr. Service Award from the Boy Scouts for her leadership.

Time and again, Emily Lembeck has been represented to be the great person she is—a leader in education, a leader of children, somebody our community is proud of. So on this day in Washington, DC, on the floor of the Senate, I want the name of Emily Lembeck to ring from one corner to the other for all she has contributed and all she has done to make our community a better, more wholesome, and more meaningful community, and for what she has done to make the lives of our community's children just a little bit better.

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

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

#### INDIAN HEALTH SERVICE

Mr. THUNE. Mr. President, for years now, patients on Indian reservations in the Great Plains area have been receiving substandard medical care.

The most recent example of the Indian Health Service's failure occurred in December of 2015, when I was notified that two federally operated Indian Health Service facilities in my State were at risk of losing their Medicare provider agreements. In other words, these two facilities have been delivering such a poor level of care, the government isn't sure it is willing to continue paying these facilities to care for Medicare patients.

In February, at the request of several Senators, myself included, the Senate Committee on Indian Affairs held a hearing to address the state of patient care at the Indian Health Service in the Great Plains area. Thanks to the graciousness of our colleague from Wyoming, Senator BARRASSO, who chairs the Indian Affairs Committee, I was able to participate in this hearing and question several Indian Health Service officials. I wish I could report that this hearing reassured me that the Indian Health Service is on track to solve the problems facing patients on the reservations, but it just left me more concerned. The hearing underscored the government's massive failure on this issue: its failure to deliver quality care, its failure to ensure patient safety, and its failure to live up to treaty responsibilities.

I have read the reports from the Centers for Medicare and Medicaid Services, and some of the stories really are beyond comprehension. Incredibly, a report of dirty, unsanitized medical equipment left exposed in an emergency room isn't even the most shocking of those stories.

One patient who had suffered a severe head injury was discharged from the hospital mere hours after checking in, only to be called back later the same day when his test results arrived. The patient's condition was so serious that he was immediately flown to another facility for care.

One health service facility was in such disarray that a pregnant mother gave birth on a bathroom floor—a bathroom floor—without a single medical professional nearby, which shockingly wasn't the first time this had happened at this facility.

I wish I were able to stand here today and report that conditions are getting better. Unfortunately, I cannot. Since February's hearing, we have been made aware of another tragic event that occurred at Pine Ridge Hospital. Reports from the Centers for Medicare and Medicaid Services indicate that a 23-year-old patient complaining of nausea and cramping in his hands and lower extremities died from cardiac arrest 2 hours after he was discharged from the emergency department. An investigation conducted by CMS verified that this young man failed to receive an adequate medical screening evaluation before his discharge. Even worse, the report indicated that there was no documentation showing nurse and doctor communication.

It hasn't helped that Congress's attempts to address these problems have been hampered by less-than-honest reporting from the Indian Health Service. Time and again, we have found that conditions on the ground have not matched up to information reported to Congress.

In 2014, I requested a status update from the then-Acting Director of the Indian Health Service. In her response, she stated that "the Great Plains Area has shown marked improvement in all categories" and that "significant improvements in health care delivery and program accountability have also been demonstrated."

Significant improvements? Sending a man home with bleeding in his brain and having a mother give birth prematurely on a bathroom floor are not signs of significant improvements.

On December 4, 2015, officials from the Indian Health Service stated that a majority of the concerns at Rosebud Hospital had been addressed or abated. Yet, mere hours later, I was informed that the Rosebud Hospital emergency department was functioning so poorly that emergency patients would be diverted to other hospitals beginning the next day. It has now been 143 days, and the Indian Health Service leadership has been unable to reopen the Rosebud Hospital's emergency department.

For the last 143 days, incoming emergency patients have had to travel between 44 and 55 miles to receive care. That is similar to requiring a resident of Harpers Ferry, WV, to travel to Washington, DC, to receive emergency services. And to date, the Indian Health Service has been unable to tell us when it anticipates emergency department services will resume.

The Rosebud Sioux Tribe informs me that since this emergency department has been on diverted status, six individuals have lost their lives in ambulances while being transported to a hospital farther away. Six families are now left to wonder whether their loved ones could have been saved if the Indian Health Service had been doing its job. This is unconscionable.

The Indian Health Service has one last chance this Friday to reach an agreement with CMS to set the Rosebud Hospital back on a path to compliance with basic safety and administrative requirements. If the Indian Health Service fails to do so, Rosebud will lose its status as a Medicare provider.

Additionally, the Indian Health Service has until Friday to address Emergency Medical Treatment and Active Labor Act violations found at Pine Ridge Hospital.

The administration has drafted report after report promising to correct these issues, yet time and again it has failed to follow through. During the recent Indian Affairs Committee hearing, the former Principal Deputy Director of the Indian Health Service could not remember that he was in charge of implementing a 2011 report. Where is the accountability? Who is in charge? We have got to do better.

Simply shifting staff between positions and offices, as the Indian Health Service has done in response to these problems, is not enough. It is time for action. We must do everything within our power—we will do everything within our power—to hold the Indian Health Service accountable and to make sure this never happens again.

I continue to work with my colleagues in the Senate on a path forward to demand accountability from an agency that, by all accounts, is disconnected and unresponsive to the needs of our Native Americans.

I will also continue to consult with the nine tribes in South Dakota. Our tribes are in the best position to help figure out the path forward for their own health care, and I believe the Indian Health Service must do a better job of consulting with our tribes when it comes to the care they receive.

I am going to do everything I can within my power to get all of our tribal citizens the quality care they deserve. Mr. President, 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. BURR. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. AYOTTE). Without objection, it is so ordered.

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

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

(The remarks of Mr. BURR pertaining to the introduction of S. 2854 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. BURR. I thank the Presiding Officer, and I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

COMPREHENSIVE ADDICTION AND RECOVERY BILL

Mr. PORTMAN. Madam President, I rise today to speak on behalf of the one in three Ohioans who knows somebody who is struggling with addiction to heroin or prescription drugs.

I rise today on behalf of the over 5,000 Americans who have lost their lives to a prescription drug overdose since the Senate passed the Comprehensive Addiction and Recovery Act back on March 10.

I rise today to talk about an epidemic which is affecting my home State of Ohio, which is affecting all our States, whichever it is, and which is affecting our country and must be dealt with.

This is the fourth time I have come to the floor of the Senate since we passed CARA, which is the Comprehensive Addiction and Recovery Act, and I come to floor to talk about our legislation and to ask the House of Representatives to please pass that legislation, which would then go to the President for his signature and could begin to help in communities all across the country.

The legislation I am talking about is legislation that the Senator from New Hampshire, now who is the Chair right now, the Presiding Officer, has been involved with in a very deep way in her own State of New Hampshire and also here on the Senate floor. I appreciate all the hard work she has put into this, and I know she agrees with me that it is time for the House to act.

We passed it on March 10. That means it has been 47 days since the Senate acted. About 120 Americans die every day of a drug overdose. It has been 47 days. That means we have lost 5,600 Americans to drug overdoses since the Senate passed this bill.

By the way, it is not just about that tragic loss of life, it is about so many people who may not have overdosed but have this addiction and are not taking care of their families, are not able to work and be a productive citizen, are not achieving their God-given potential. It is about those who have overdosed but have been saved by this miracle drug that police and firefighters and other first responders and sometimes family members now are administering called Narcan or naloxone.

It means that since the Senate passed this bill, this epidemic is getting worse, not better. That is based on

all of the information I get back home. Last week in Lebanon, OH—it is a small town north of Cincinnati, OH, where my family has roots going back to the 1920s—in Lebanon, OH, a 34-year-old woman, who was engaged to be married, overdosed and died in front of her children, one aged 10 and one baby girl who was still learning to walk. By the way, that little girl's father has now been arrested. Within days of her mother's addiction—she has now lost both her mom and her father.

Last week, from Tuesday afternoon to Wednesday morning—Tuesday afternoon to Wednesday morning—six people died of overdoses in one small town called Elyria, OH. It is not a big city; there are about 53,000 people in Elyria. We lost six people in 24 hours. That does not include the 14 people who were saved by this miracle drug I talked about, Naloxone, that reverses the effects of an overdose.

That is what has been happening. That is happening on our streets, and in the case of my home town of Cincinnati, it is happening in our parking lots. At noontime on Sunday, in my hometown, a man overdosed in the parking lot of the Museum Center in Cincinnati, OH. First responders moved quickly and were able to save his life. But it is happening in broad daylight, unfortunately, more and more frequently.

Since 2007 drug overdoses have killed more people in Ohio than car accidents, making it the No. 1 cause of accidental death. I am told that nationally, now, it is the leading cause of accidental death in the country. It is not car accidents, which we would might have assumed, it is overdoses. They have more than tripled in Ohio from 1999 to 2010.

We are told that 200,000 Ohioans are addicted to opioids—200,000 people. That is the size of a major city like Akron, OH. That is something which should concern us all.

Last week there was a poll that showed that 3 in 10 Ohioans know someone who has abused prescription drugs, and 1 in 8 knows someone who has overdosed. We are talking about more than 1.3 million Ohioans.

According to NIDA—the National Institute on Drug Abuse—the United States, even though we make up about 5 percent of the world's population, consumes 75 percent of the prescriptions drugs, including the vast majority of the world's prescription painkillers, the narcotic painkillers. They say four to five of the people who are heroin addicts started on prescription drugs.

We have heard more about this this week in the news, about the fact that so many people get addicted to the opioid, which is the prescription drug. Sometimes it is actually prescribed to them; sometimes they obtain it illegally. They turn to heroin as a less expensive alternative and then end up overdosing. The results are tragic.

If this is not an epidemic, I don't know what is. It is affecting every

area. It knows no ZIP Code. So when you think about drugs and drug abuse and the effects of it, you might think inner city. That is not so. It is everywhere—in the suburbs, in the rural areas. It knows no ZIP Code.

I mentioned that this legislation we worked on here for a few years passed the Senate. It was bicameral legislation, meaning it was the House and Senate working together for 3 years. We had five conferences here in Washington. We brought in experts on the issues of prevention and education and treatment and recovery and how to deal with our veterans who are coming back, who have a high rate of addiction, how to deal with women and their babies. In my home State of Ohio, we have had a huge increase in the rate of babies being born addicted, and what do you do about that?

We put together this legislation in a comprehensive manner to handle not just one part or one sector but to be something that would deal with the holistic approach so that we could actually get at this issue.

In the House, by the way, the identical legislation was introduced, and they now have over 120 cosponsors of that legislation in the House. Yet they have not been able to move on that legislation. Instead, they are moving on other legislation to deal with the issue. That is good. I am sure there are a lot of other things that can and should be done. Some of what they are doing is consistent with CARA. But we know CARA works. We know that if we can pass it, the President would sign it. We know it would help immediately in our communities. So I again call on the House to move quickly.

Last week a subcommittee in the House chaired by JOE PITTS marked up one dozen bills that have to do with how we fight this epidemic. JOE PITTS is a man who cares a lot about this issue. He has a passion for it. This week my friend and full committee chairman FRED UPTON is going to mark up those 12 bills. The House has a lot of good ideas. That is fine. That is good.

I joined Congressman BILL JOHNSON of Marietta, OH, who has been a passionate advocate on this issue, to introduce something called the Preventing Abuse of Cough Medicine Act, which would restrict the sale of certain cough medicines that are frequently abused. That is good. It is a common-sense Ohio idea. I thank my friend and colleague for doing his part to help our constituents. That should be passed in addition to CARA, along with other legislation.

I certainly respect my colleagues over there very much, as I said, but let's just give CARA a vote, and then let's move on this other legislation as well. It takes a while, as all of us are painfully aware, to get something through the process around here. This one went through with a 94-to-1 vote. It is comprehensive. It was introduced in both the House and the Senate. They have over 120 cosponsors. Let's just

move that. Then, if there are other things to be dealt with, like the one I talked about, we can work on those as well and find ways to work together to find common ground. I will support that. I cannot speak for all of my colleagues, but I can speak for all of them—with the exception of one who voted the other way—to say that we will help get CARA to the President. In fact, it doesn't need to come back to the Senate if they pass the CARA legislation.

More and more Members in the House are focused on this issue. That is good. Tomorrow, the House Judiciary Committee is also marking up legislation in this area. So this is a separate committee—the Energy and Commerce Committee—and now the Judiciary Committee. They are going to mark up five related bills, including what they consider the alternative to CARA. It has some of the CARA provisions but not all of them.

Let me tell you what the experts out there are saying. There are over 120 groups who have endorsed our legislation, helped us to get our legislation through.

Yesterday, the policy director of the Harm Reduction Coalition sent a letter to the Judiciary Committee saying that its alternative “omits vital provisions in CARA addressing recovery, collateral consequences, prevention, and education. These omitted provisions represent critical community priorities, which truly relate to the comprehensiveness of CARA's approach. CARA was developed through a thorough process of extensive consultation with dozens of stakeholders . . . and has secured the broad support of national, state, and local addiction and recovery, public health, and criminal justice organizations. . . . The version of CARA passed by the Senate represents substantial consensus among both community stakeholders and bipartisan lawmakers.”

The House Judiciary's alternative to CARA does contain some of CARA's best proposals. I appreciate that. But unfortunately it dropped out a number of really important ones as well. Some of the most important ideas that are missing include provisions expanding drug takeback programs. Again, we talked about this earlier. These prescription drugs are at the heart of this problem. These takeback programs get these prescription drugs off the bathroom shelf, allow us to pull these drugs away from our communities so that people are not using these drugs to get into more drugs, to get into heroin. That is not in there.

There is also a heroin law enforcement task force that was dropped out and a drug court for veterans called the veterans court. That is a very important issue for all of us. The veterans' testimony we got made it clear to us that these courts are working. I have toured some of these courts. I have had a chance to sit down at a roundtable discussion in Ohio with one of our

great veterans courts to talk to veterans whose lives have been entirely turned around by these veterans courts. After years and years of bouncing around in the prison system or at the VA, finally they get into these drugs courts for veterans, where they are surrounded by other veterans and they are able to pull their lives together, to get their families back together, and in one case go back to school. There is one guy who is about to graduate from Ohio State University after years and years of not being able to find a way to move forward.

Here is another one. Patty McCarthy Metcalf of Faces and Voices of Recovery wrote in a letter today that taking out the CARA recovery provisions “will prolong the crisis of addiction by not providing the critical support in communities across our nation where it is most needed. Recovery services provided by recovery community organizations, including recovery coaching and emergency rooms and drug courts and recovery education and awareness, are desperately needed and highly effective in getting people with addiction on a long-term path to recovery.”

What does she mean by all that? She means that these recovery coaches and the services that are supported by the CARA bill help people who might go, as she said, to an emergency room because they have an overdose to be confronted by somebody who says: Look, we can help you get better. You don't have to do this again. You don't have to overdose again. You don't have to go through this near-death experience. We can get you into a program where you can get treatment and recovery.

Someone has to provide the resources for those coaches. We want those coaches. All of us as citizens should want them. We don't want people to keep overdosing again and again. We want to break that cycle. That is what our legislation would do.

Patty makes the critical point that our response has to be comprehensive. I think she is right. She says:

Prevention, treatment and enforcement cannot solve the opiate problem without recovery supports. National experts on addiction, and millions of people in recovery, will agree that a comprehensive approach is critical.

That is what we do. CARA is comprehensive. There are 71 recovery groups, including the Ohio State University Collegiate Recovery Community, which sent a letter to the House Judiciary Committee and the Education and Workforce Committee today expressing concern that two sections of CARA which expand recovery supports for students in high school and in college were dropped out. These are amazing programs. I am so impressed with these brave young men and women who stand up and say: I have a problem. I have an addiction. For other students at this high school or at this college, who, like me, have this addiction, have this disease, I want to help you. We should work together and come together in support groups.

There did not use to be any of these hardly, as far as I know. Now there are a number of them. Ohio State University is one of the places that took the lead in this. I am so proud of those students who stood up and said: Despite the stigma around this, I am going to stand up and say that I have this problem, and I know many of you do too. If you do, come, and we can work together to work through this problem.

Again, what they say is, “We support a comprehensive approach to addressing this epidemic, which must include providing recovery supports that enable individuals to enter and sustain their recovery.” Again, CARA is comprehensive. No other bill comes close.

As this process moves forward, I hope we will insist that any final agreement represents a comprehensive approach because this epidemic has to be combated from all angles. The approach we took to writing CARA was to say we are going to take the best ideas regardless of where they come from. We don't care who brings them. We just care what the idea means to help address this problem.

We had ideas from Democrats. We had ideas from Republicans. We had ideas from House Members, from Senators, from experts in law enforcement, and from patients in recovery. We didn't ask who had the idea, we asked if it was a good idea. That is how you cobble together good legislation that makes a difference in our communities.

On Friday I was in Ohio chairing a hearing of the Homeland Security and Governmental Affairs Committee. It was at University Hospitals of Cleveland, OH. We heard from law enforcement experts such as the attorney general, Mike DeWine, and the acting U.S. attorney, Carole Rendon. She was great, as was Senator DeWine. Law enforcement, including the Fraternal Order of Police, has been strongly supportive of CARA because they believe this comprehensive approach works.

We also provide training for the administering of this naloxone we talked about, the Narcan, and being sure that law enforcement has what they need to be able to help combat this issue. We also create these law enforcement task forces to combat heroin and methamphetamines. They want better tools, law enforcement does, so they can save lives. We owe them that.

In Ohio I am that our first responders have used naloxone more than 16,000 times in the last year alone. Thank God for those first responders because they have saved thousands and thousands of lives.

On Friday we also heard from Tracy Plouck from the Ohio Department of Mental Health and Addiction Services. We heard from Dr. Nancy Young of Children and Family Futures and Dr. Margaret Kotz, who is the director of Addiction Recovery Services at University Hospitals in Cleveland, one of the experts we have relied on. They talked about the recovery process.

Their point was that probably 9 out of 10 people who need treatment are

not getting it. That is a clear sign the status quo is not working. Some of it is the stigma we talked about earlier, people are not coming forward. Some of it is not having treatment programs that are accessible. We heard about waiting lists, sometimes 3 or 4 days, sometimes 14 days, sometimes a couple of months—and people being at that point in their lives where they are willing to come forward and say: I need to solve this problem. Yet there is a waiting list.

Last night I had a tele-townhall meeting. We had 25,000 Ohioans on at any one time. It was a big group. People were talking about all kinds of issues, from the terrorist threat we face to energy and environment issues, to the jobs issue.

One guy called in and he asked: What are you doing about treatment for people who have drug problems?

So I told him about the CARA legislation and he seemed to have a quiver in his voice.

I asked him: You seem to have a lot of interest in this and some information about it. Can you tell us your background?

I thought perhaps he was a doctor or a treatment specialist.

Unfortunately, he said what you hear more and more from parents, which is: I lost my child to addiction. She had an overdose. She died. And the reason I am so focused on treatment, Senator PORTMAN, is because we got her to the place in her life where she was willing to go, finally, to a treatment center and get the treatment and recovery services she needed to deal with this disease that had gripped her—and there was no room at the inn. There was a waiting list. We couldn't get her in, and it was during that period that we couldn't get her into the treatment center that would have helped her that she overdosed.

This is a caller from last night who—on a call—was willing to say this in front of 25,000 people. I told him I appreciated the fact that he had the courage to call in and the courage to talk about it. Of course, I expressed my sympathy to him and his family but asked him to continue talking about it, to channel that grief into something positive.

Until we get more people into treatment, this is going to continue to be a huge problem in every one of our communities. Until we change the law, until we get legislation passed in Washington so we can be better partners, we are not going to be doing our part. Will Washington solve this problem? No. This problem is going to be solved in our communities, it is going to be solved in our families, and it is going to be solved in our hearts. We have to get people to pull away from this, to understand the dangers, better prevention and education.

In our legislation, we have a prevention program to build awareness about the connection with prescription drugs and heroin. I bet most people listening

right now didn't know about that connection, a lot of people don't. Why would you, if you hadn't faced this issue? That awareness alone is going to make people make better decisions for themselves, for their children.

Friday in Cleveland we had a man testify whose son died of an overdose. Do you know why? Because he had his molars—his wisdom teeth—taken out. When he had his wisdom teeth taken out, what happened?

You know where I am going.

They gave his son, a kid, Percocet—a narcotic, a painkiller. The rest of the story you know, which is he started taking more of those and more of those. Then he took some from the bathroom shelf of one of his relatives. He developed this addiction and eventually turned to heroin and overdosed.

Now his father, God bless him, is out there talking to high schoolers, talking to middle schoolers, talking to young people about the dangers.

We can address this issue. We know we can. There has been success with other awareness programs. Think of smoking and teen smoking. We have made great progress there. We have to make progress on this one. This is about life and death.

We heard testimony on Friday from Dr. Michele Walsh, the director of neonatology at University Hospitals. She talked about how she is increasingly seeing babies who are born with what is called neonatal abstinence syndrome. That is a fancy way of saying these poor babies are born with an addiction. She said the symptoms are the same you would see with an adult. It is the fidgeting. It is the sweats.

These are little babies. I have gone to these neonatal units, and I know some of my colleagues have. You see these babies. They are so small they can fit in the palm of your hand, and they are addicted. You have these doctors and nurses with incredible passion, such as Dr. Michele Walsh, who are taking care of them. In my home State of Ohio we have had a 750-percent increase in the last 12 years with babies born with neonatal abstinence syndrome—a 750-percent increase. Every single neonatal unit in Ohio is facing this.

I have been to Rainbow Babies & Children's in Cleveland, which is at this hospital. I have seen what they do. I have been to St. Rita's special care nursery in Lima, OH. I have been to Children's Hospital in my own hometown. They are doing great work, but wouldn't it be great if we didn't have to deal with this issue because we had better prevention and education to let mothers know what the danger is when they are pregnant and they could have better treatment and recovery to get those women out of this grip of addiction so their babies can be born without these issues.

Frankly, the long-term effects we talked about at our hearing, talking to experts and doctors, I don't think people know what the long-term effects are—and of course that is scary. They

basically take these babies through withdrawal. We have to provide babies with the medication at a lower level—but that you would provide an adult—to take them through the withdrawal process.

CARA, the legislation we are talking about, would help these women. It would help these babies by expanding treatment for expectant and postpartum women as well as awarding grants to evidence-based treatment services and residential treatment programs for pregnant women who are struggling with addiction. It would create a pilot program to provide family-based services to women who are addicted to opiates in a nonresidential outpatient setting. It is what we learn from experts—how to help address this problem—that is in this legislation.

I know there are other ideas out there, and that is great, but stripping out some of CARA's core provisions just didn't make any sense to me. Let's keep it comprehensive. Let's be sure and get this legislation done and then work on additional legislation.

The House could simply put CARA on the suspension calendar and have a vote on it. That is the calendar where you have to have a two-thirds vote, but something like this with all the co-sponsors and all the interest in this issues now, I think it would pass. That means we are one vote away of getting this help to our communities.

That is how close we are to a historic achievement to help begin to turn the tide, to make the Federal Government a better partner with our States, our local communities. Our great nonprofits are out there in the trenches doing the work and our families. There is no reason it couldn't happen today, tomorrow, or the next day before we go into another congressional recess.

After 3 years of work, it doesn't make sense to start from scratch and try to rewrite this. Let's work together to come up with additional ideas that are course appropriate. Nobody has a monopoly on good ideas around here.

Believe me, I know some of these House Members. They have the right intentions. They are trying to help. I appreciate that, but I also think we all need to appreciate the fact that this is a crisis. We are losing more and more Americans, 5,600 since CARA was passed in the Senate. Roughly every 12 minutes we lose someone else. People's lives are on the line. Communities are being impacted. Families are being torn apart. It is time for us to act and act quickly.

I appreciate the time today. I urge the House to move quickly on this legislation so we can begin to help our communities in need.

I yield back the remainder of my time.

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

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

#### "EL FARO" TRAGEDY

Mr. RUBIO. Madam President, I come to the floor today to discuss, first of all, the successful location of the *El Faro* voyage data recorder by the NTSB. As you all recall, that was the ship that had sailed from Jacksonville and was lost at sea and everyone perished. Today, the NTSB found the data recorder.

The U.S. Coast Guard, the U.S. Navy, and other search partners were also involved. That gives me hope that we will soon have more answers about this terrible disaster and how to prevent a similar one from happening again. So I want to thank the men and women of the investigative team who worked together to find this important piece of the *El Faro* puzzle.

Today we are also reminded of those who were lost on the *El Faro* and the loved ones they left behind. They remain in our thoughts and prayers.

#### ZIKA VIRUS

Madam President, on a different topic, I wanted to come to the floor today and talk again about the Zika virus. Once again there was an announcement that there had been additional cases identified in Florida.

Just to recap where we stand now, Zika has now spread to over 43 countries. There are 500 cases in U.S. territories, most of them on the Island of Puerto Rico. In my home State of Florida, there are now 93 cases—the most of any State—and the peak mosquito season is directly ahead.

A lot has happened regarding Zika. We have learned more and more about this disease. For example, we are now learning the virus has a direct link to Guillain-Barre syndrome, a very debilitating, often fatal, illness, and it is striking people affected with it. We are learning through recent science that it is not just the first trimester of pregnancy but also potentially in the second trimester that unborn children can be impacted by this, and the impacts are devastating.

We are learning that of the two species of mosquitoes that spread the disease, one of them has developed an immunity, a resistance to the most commonly used pesticide to remove them. So there is real concern as we head into the summer months and mosquitoes begin to appear that soon we will wake up to the news that there has now been a mosquito-borne transmission within the continental United States.

Here is the bottom line: We don't know everything about this disease. We already know it is bad, but we don't know how bad it is. Every day we find out more things. We know during these summer months it will be increasingly warm in many parts of the country where the two mosquito species that spread the virus can be found—in 30 out

of 50 States. We know those mosquitoes tend to grow even faster during warm seasons and when there is a lot of water on the ground. And we know one of the countries most impacted by it—Brazil—will soon host the Summer Olympic Games, which means there is going to be a tremendous amount of travel to and from Brazil, and, in fact, there already is. We know the disease is not just spread through mosquitoes, but it is also sexually transmitted.

The result of all this is that there is a real concern about what direction we are headed. The President has asked for \$1.9 billion in funding, and I am generally supportive of that request. I believe we need to deal with these issues on the front end as quickly as possible. We don't want to wake up one morning to the realization that we are now in the middle of summer, this has become an epidemic or a catastrophe, and we didn't do anything on the front end. Everyone here will have to explain what their position was at the time.

I also think you can be for Zika funding—you can even be for Zika funding at \$1.9 billion—and you can also ask questions about how this money is going to be spent and, if possible, how we are going to pay for it because we are facing a debt situation in this country. I believe we can find \$1.9 billion to pay for it. I have suggested some of my own.

What we don't want to do is to play political games with this. I think it is important. On the one side, you can't just say: Look, I am against anything they are asking for that comes up unless you prove otherwise. I think it is important that we now admit this is a serious issue that needs to be confronted. But it is also not being an obstructionist to ask: How is the money going to be spent? What programs will be funded? Where is the prioritization going to be? I think it is not too much to ask to have a level of detail about that \$1.9 billion.

What I am concerned about is some of the reports in the news that there are games being played with this. We have heard the news that the administration has redirected \$44 million in emergency preparedness grants promised to State and local governments this summer. Oftentimes in politics this is a very typical maneuver. What you do is, you cut money from an organization somewhere and you blame it on congressional inaction—or in the States, on legislative inaction. And they say the reason you are losing this money is that someone is not doing what we want, so you find the most painful, alarming cuts and use them as a leverage point to get pressure built on Congress. So I want to make sure that this is not part of some game. We shouldn't be playing games with this. I think it is also important to understand why, in addition to the \$1.9 billion, they are also saying on top of that we also have to repay the \$510 million in Ebola funds since the Ebola situation is now under control.

These are all legitimate issues that need to be confronted. But in the end, we have to do something about this. I know the Senate and the Congress were not meant to move at warp speed, to say the least. It is a place in which action takes time, and I understand that. But there are things we don't have time for. This issue has to be dealt with on the front end. Summer is here already. If you have been in South Florida, as I have on weekends, and back in my home State, as I will be again this Friday and into the weekend, it is already hot. That heat, combined with a wet season, means mosquitoes.

This is mosquito season. We have a disease that is already creating this catastrophic impact in countries neighboring us to the south. We know it is spread by mosquitoes. Mosquito season is rapidly approaching, and we have to get ahead of this. None of us wants to be in a position in June, July, and August where this thing breaks out and we start seeing cases in the continental United States, as we are already seeing in Puerto Rico and in Brazil, and we have no answer for why we did nothing during these months we were here.

I don't know what all the impediments are. I know there are conversations going on at the committee level, but I hope we can bridge this rather quickly. There are so many other issues we can argue about. There are so many other issues we can have debates about in the partisan season. But I don't think a disease of this magnitude, with this level of risk, is one we should be playing games with.

My hope is that cooler heads will prevail and that over the next few days we will find it within ourselves to find out how to appropriate the necessary money so we can begin to deal with this, at least on the front end. Maybe there is a chunk of money on the front end so we can begin to address it and then we can come back later and fund the rest of it. I think it is incumbent upon the administration and others to say "This is what the money is going to be spent on" so we can judge whether the money and the funds are actually going to things that work. But this needs to happen. This problem can't wait, and it shouldn't be a partisan fight.

Combating Zika is an appropriate use of public dollars. It is an appropriate use of public dollars. I am for limited government. I am for a very limited Federal Government. But one of the things the Federal Government is tasked with is keeping our people and country safe, particularly from external threats. Traditionally, what that means is an invading army or some military threat from abroad or whatever. In this case, this is a threat emerging from abroad, but it is coming toward the United States. There is nothing that prevents the United States from becoming like some of these other countries that have been impacted by this—nothing. Our people

are not genetically immune to Zika. It is a matter of time. It is not a question of if, it is a question of when there will be a mosquito-borne transmission of the Zika disease here in the United States. And when that happens, if the posture of the Congress has been that we did nothing—nothing has happened on this; we are still debating over \$200 million or \$50 million—people will not be satisfied with that answer.

So my hope is that this is dealt with according to the level of urgency it deserves. As I said, in my home State of Florida we already have 93 cases, with 2 new ones over the weekend. Those numbers are only going to grow. It is just a matter of time before there is a mosquito-borne transmission somewhere in the United States—the continental United States, because, as I said, this has already occurred in Puerto Rico—and I hope we get ahead of it before it is too late.

As I speak to the appropriators and those involved in this, my hope is that we can find our way forward on this rather quickly. There are so many other issues to argue about; this should not be one of them. The money needs to be spent the right way, but it needs to be spent and it needs to be appropriated, and we should endeavor to pay for as much of it, if not all of it, as we can. It needs to get quickly to the target. We need to move from this process and on to those programs so we can get ahead of it in May and June, before we get into the summer, before we get into mosquito season, and before we have an outbreak in the United States. If not, we then will have to answer to the people as to why nothing happened when we knew the risk was growing and the threat was emerging.

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

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

UNANIMOUS CONSENT REQUEST—EXECUTIVE CALENDAR

Mr. FLAKE. Mr. President, it has been nearly 9 months since the United States had an Ambassador to Mexico. The President's nominee to that post, Roberta Jacobson, is eminently qualified for the post.

The Arizona Republic noted in an editorial from March that "she's qualified, respected and needed to do an important job." They are right.

For more than 20 years, Ms. Jacobson has been immersed in the regional, political, economic, and security issues related to the Western Hemisphere. In fact, as part of her extensive background, she served for a time as Director of the Office of Mexican Affairs at the State Department. She is obviously



fluent in Spanish and has earned the respect of her colleagues. She served for 3 years as Deputy Assistant Secretary for Canada, Mexico, and NAFTA issues within the Bureau of Western Hemisphere—experience that would later serve the United States well given that Mexico is America's third largest trading partner, with bilateral trade totaling more than half a trillion dollars. However, she has been waiting for the Senate to confirm her nomination since the Senate Foreign Relations Committee reported it to the Senate in November of last year by a vote of 12 to 7.

It should be incomprehensible to anyone around the country to have a post of the top diplomat to one of our most important bilateral relations open for this long, but for Arizonans, it is particularly baffling. Arizona alone enjoyed a trade relationship with Mexico of nearly \$17 billion last year. On the export side, Arizona exports about \$9 billion in goods and services to Mexico every year, which, according to the Arizona Republic, "accounts for 41 percent of the state's exports, and four times more than our state exports to our next biggest trading partner, Canada."

According to the Arizona-Mexico Commission:

With an economy that now surpasses \$1.3 trillion, Mexico ranks as one of the top 20 economies in the world. Mexico's economy has been increasingly focused on manufacturing, particularly since the signing of the North American Free Trade Agreement (NAFTA) in 1994.

More than \$1 billion in goods are exchanged between the United States and Mexico every day. But the U.S.-Mexico relationship is about more than just our economies; transportation issues, security threats, and natural resource management are just some of the fronts on which we cooperate with Mexico.

The Arizona Republic notes that "the Arizona Department of Transportation recently signed a memorandum of understanding to study ways to improve the trade corridor that spans the border." Arizona alone shares six ports of entry with Mexico, and Phoenix's Sky Harbor Airport facilitates 122 flights a week to and from Mexico. All of this cooperation requires a close partnership between our two countries. The longer the United States goes without having an Ambassador to Mexico, the greater that partnership will suffer.

To my knowledge, the holdup in this process is not based on any concrete concerns with the qualifications of this specific nominee. She enjoys overwhelming support. There is no reason not to move forward with this nomination. If there is opposition, then Members should have the opportunity to express it. As such, I will be asking unanimous consent for a time agreement with a rollcall vote on her confirmation. There is simply no reason we should not have an Ambassador to Mexico when we have a candidate as qualified as Roberta Jacobson.

Mr. President, I ask unanimous consent that, at a time to be determined by the majority leader, in consultation with the Democratic leader, the Senate proceed to executive session to consider the following nomination: Calendar No. 365; that there be 30 minutes for debate only on the nomination equally divided in the usual form; that upon the use or yielding back of time, the Senate vote on the nomination without intervening action or debate; that if confirmed, the motion to reconsider be considered made and laid upon the table, the President be immediately notified of the Senate's action, and the Senate then resume legislative session without any intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Florida.

Mr. RUBIO. Mr. President, I agree that the U.S.-Mexico relationship is one of our most important bilateral relationships. We do need an ambassador in Mexico City who has a track record of effectively advancing U.S. interests. I do, however, have serious questions about the policies that Assistant Secretary Jacobson has pursued during her tenure in the Western Hemisphere Bureau. I have had conversations with the administration and others, such as Senator CORKER, about the concerns, and I remain hopeful that we can find a way to resolve this issue in the very near future, but until then, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Arizona.

Mr. FLAKE. Mr. President, I plan to return frequently for as long as it takes to shed a light on this nomination and to make sure it moves forward, so I expect to be here tomorrow to do the same.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

WORLD INTELLECTUAL PROPERTY DAY

Mr. GRASSLEY. Mr. President, the United States is one of the most dynamic and innovative countries in the world. Our Nation's success in areas such as agriculture, manufacturing, computer technology, and medicine can be traced in large measure to our respect for, and protection of, intellectual property.

Every year on this day, April 26, we have the opportunity to recognize the important role of intellectual property rights in the fabric of our society when we celebrate World Intellectual Property Day.

Nearly 230 years ago, our Founding Fathers recognized the importance of intellectual property and made provisions for its promotion and protection in the Constitution. Article I, section 8, clause 8 empowers Congress "to promote the Progress of Science and Useful arts, by securing, for limited Times, to Authors and Inventors, the exclusive Right to their respective Writings and Discoveries."

Since that time—and stemming from these values—intellectual property has

played a vital role in our economy, supporting jobs and advancing creative and scientific industries.

In our modern, innovation economy, patents, trademarks, copyrights, trade secrets, and other forms of IP are more critical than ever. As the Global Intellectual Property Center recently pointed out in their broad survey of Intellectual Property in America, IP-intensive industries employ over 40 million Americans, accounting for 38 percent of total U.S. gross domestic product. Workers in IP-intensive industries are paid better than the national average, earning an average salary of over \$50,000 compared to those in non-IP-intensive sectors where the average is roughly \$39,000. In fact, intellectual property is so important to the American economy that the collective worth of all of the intellectual property in the United States is now above \$5.8 trillion.

In Iowa, we have seen how intellectual property has become an integral part of our economy. Our system of strong intellectual property protection has led to \$11.2 billion in annual IP-related exports from the State, a total of 667,557 IP-related jobs, and 19.9 percent higher wages for direct IP workers than non-IP workers. Just as Iowans utilized strong IP laws 75 years ago when they were discovering how to feed the world through cutting-edge science, today's Iowans benefit from our system of IP protection as they start companies and create new tech success stories.

The Judiciary Committee plays an important role in protecting intellectual property. The committee exercises jurisdiction over our Nation's intellectual property laws including those governing patents, trademarks, and copyrights. We consider legislation that helps to ensure that intellectual property rights continue to promote jobs and innovation. The committee also exercises important oversight of the Patent and Trademark Office, ICANN, the Office of the Intellectual Property Enforcement Coordinator, and various law enforcement entities charged with protecting IP.

Some recent examples of important legislation that helps promote intellectual property rights are the PATENT Act of 2015 and the Defend Trade Secrets Act of 2016. The PATENT Act, which passed the committee by a vote of 16 to 4 last June, takes important steps to stop abusive patent litigation practices. As bad actors are exploiting the high costs of litigation and using deceptive tactics to prey on businesses, it is important that this legislation be considered in the Senate.

Just 3 weeks ago, the Senate unanimously passed the Defend Trade Secrets Act of 2016, sponsored by Senators HATCH and COONS. Building upon the bipartisan consensus generated in the Judiciary Committee, the bill passed on the Senate floor by a vote of 87 to 0. It is estimated that the American economy loses 2.1 million jobs and over

\$300 billion in economic losses every year because of trade secret theft. The Defend Trade Secrets Act brings much-needed uniformity to trade secret litigation. This will allow the creators and owners of trade secrets to more effectively address the growing problem of trade secret theft. The House of Representatives is expected to pass our bill this week and I hope it will be immediately signed by the President.

Tomorrow, the Judiciary Committee will hold a hearing on counterfeits and their impact on consumer health and safety. We will hear from a panel of experts, including witnesses from the Patent and Trademark Office, U.S. Immigration and Customs Enforcement, and industry. These businesses include companies that provide home health care products and equipment to our troops. They will discuss how counterfeits can harm consumers and what their impact is on the economy. We will hear how law enforcement is addressing this problem as well as how stakeholders are educating consumers to protect themselves from counterfeits.

The focus of this year's World Intellectual Property Day is "digital creativity." As the World Intellectual Property Organization notes, the current era of Internet connectivity is transforming how consumable culture such as films, TV, music, books, art, and other cultural works are created and distributed. This has led to radical changes in the way we access content and in how businesses operate. As challenges emerge as to how we protect intellectual property rights in these new economic models, we must continue to search for effective solutions that promote creativity across different mediums.

So on this World Intellectual Property Day, it is important to once again recognize the significance of our Nation's robust system of intellectual property protection and enforcement. This system has helped create the United States' enduring role as a leader in innovation and creativity. As the chairman of the Senate Judiciary Committee, I will continue to embrace my role as a promoter of intellectual property rights and American jobs.

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. 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.

#### TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016—MOTION TO PROCEED

Mr. MCCONNELL. Mr. President, I move to proceed to Calendar No. 138, H.R. 2577.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 138, H.R. 2577, a bill making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

#### CLOTURE MOTION

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

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

The senior assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 138, H.R. 2577, an act making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

Mitch McConnell, Susan M. Collins, Lamar Alexander, Cory Gardner, John Cornyn, Roy Blunt, Bill Cassidy, Johnny Isakson, Lisa Murkowski, Shelley Moore Capito, Mike Crapo, James E. Risch, Lindsey Graham, Thad Cochran, Roger F. Wicker, Steve Daines, Richard C. Shelby.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the mandatory quorum call under rule XXII be waived with respect to the cloture vote.

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

#### MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

#### TRIBUTE TO BART ELLEFRITZ

Mr. DURBIN. Mr. President, I am not sure of the man's name, but I want to thank a public policy professor at Western Illinois University.

About a decade ago, this astute professor was talking with one of his best graduate students about his future.

The professor knew that the young man was hoping to put his talent and training to good use working as a city planner or city manager in a small Illinois town—maybe a town like the one in which the young man had grown up.

The professor suggested another possibility. He asked his student: "Have you ever considered going to Washington and working on Capitol Hill? I think you might like it, and you'd be good at it."

Fortunately for me and for countless others in my State of Illinois, that

young man Bart Ellefritz, loves new challenges and adventures, so he decided to trust his professor's advice.

He moved to Washington and landed a job as an intern in Senator HARRY REID's personal office. That is when my office first became aware of him.

Before long, I hired Bart to work as a staff assistant on my Judiciary Committee staff.

Bart mastered that job in no time flat and was ready for his next challenge, so he moved home to Illinois to work in my Springfield office doing casework.

For those who may be unfamiliar with that term, "casework" is a word we use to describe efforts by our staff members who work to help people with specific problems—to try to cut through red tape and make government work better for people.

Bart Ellefritz is a master of casework because he is smart and he believes that government can be a force for good. Most of all, he cares about people.

In 2009, Bart got an offer that was too good to turn down. It was the beginning of President Obama's first term. Former Illinois Congressman Ray LaHood was the new U.S. Secretary of Transportation, and he asked Bart to come work for him, so he left—with my blessing.

About 5 years ago, I succeeded in hiring Bart back to be the director of my Springfield office, which serves all of downstate Illinois.

Let me tell you, being my downstate director is no 9-to-5 job for Bart Ellefritz. Somedays, it is a 5-to-9 job—from 5 in the morning until 9 at night.

Bart is my representative—my eyes and ears—for a large part of my State. He drives hundreds of miles every week in his Mitsubishi Outlander Sport—made in Normal, IL—to meet with people on my behalf, listen to their ideas and concerns, and try to help them solve their problems.

I can't begin to count the number of people whom Bart has helped, but let me tell you about one of them.

Judy—I won't use her last name—works as a housekeeper at a motel where I often stay, and we have become friends.

Several years ago, Judy confided to me that she was 62 years old and had never in her whole life had health insurance—not for a single day. She had worked her whole life in manual labor, working as a cook, a waitress, a housekeeper, and she had never known the security of having health insurance.

I asked Bart to see if there was some way to help Judy. Bart spend hours and hours talking on the phone with Judy, driving to see Judy in person, talking with folks at Medicare and Medicaid.

A final hurdle came when Judy needed an email account to sign up for health care. Judy had never used email before, so Bart helped her set up her account.

Finally, at the age of 62, because of Bart's persistence and the Affordable