

privatizers has recently included a Democrat in the House, the AARP, a Nobel prize-winning economist, and many others, and not all of them are Republicans.

Let me return to the debate on the public trustee nomination because, quite frankly, the Democrats made so many misleading claims with regard to Social Security that I could not begin to address them all in a single floor speech.

A recent article in *POLITICO* outlined the plan devised by top Senate Democrats to engage in “an election-year battle” over Social Security and the general public trustees in particular. In relation to Dr. Blahous, the article says: “Democrats point to several instances in the trustees’ reports released after Blahous joined the board that they say suggest the Social Security trust fund is less solvent than it really is.”

That almost sounds like a legitimate policy argument, provided you don’t think about it for longer than 30 seconds. There are, quite simply, countless reasons why that argument is entirely baseless. First of all, no one in the Obama administration has corroborated a single one of these claims in any way, shape, or form. On top of that, this claim seems to suggest that one public trustee, a Republican, has had such a persuasive and misleading influence that he has been able—for more than 4 years—to hoodwink five Democratic trustees, including Dr. Reischauer, the other current nominee, along with Treasury Secretary Lew, Labor Secretary Perez, HHS Secretary Burwell, and Acting Social Security Commissioner Colvin, all of whom also signed on to those trustees reports. Does anyone believe that for a second?

I am going to give my friends some advice: If a political attack relies on an assumption that the sitting Secretaries of Treasury, Labor, HHS, and the Acting Commissioner of Social Security, along with their staffs, are so impotent in the face of the cunning sophistry of a single public trustee from the opposing party, it is best to leave that particular conspiracy theory on the shelf because it doesn’t even pass the laugh test. That is, of course, unless you assume at the outset that members of President Obama’s Cabinet, along with their staffs, are incompetent or just plain dumb.

Aside from being based on foolish assumptions, the claim that recent trustee reports have been biased is verifiably false, given that the non-partisan Congressional Budget Office has reached similar conclusions about the solvency of Social Security. In fact, CBO’s projections are even bleaker.

Perhaps my Democratic colleagues believe that Dr. Blahous’s dastardly influence has extended to CBO as well, although, to be fair, I haven’t heard any of them claim that such is the case.

Mr. President, all of this political bluster over the public trustee nomina-

tions—every single word of it—is a political sideshow. The public trustees do not have the power or ability to slash or privatize Social Security or to turn a single penny of any public funds over to Wall Street. They serve a limited but important role in monitoring and reporting on the system. That is all.

Any reasonable observer will tell you that both of President Obama’s nominees for public trustee have solid reputations as being fair, objective, balanced, and most importantly, highly competent.

I don’t personally agree with all the policy positions that the Democratic nominee, Dr. Reischauer, has put forward over the years, but he has always conveyed his ideas in a temperate and respectful manner without partisanship or ad hominem attacks. Quite frankly, I also may not even agree with all the positions that the Republican nominee, Dr. Blahous, has put forward, but he has similarly conducted himself in a respectful and nonpartisan manner.

The fact is, whether certain Democratic Senators like it or not, the law requires that one of the public trustees be from the Republican Party. If someone wants to put forward legislation to change that or to impose term limits on trustees or even start a public debate on these issues, they are free to do so. Similarly, if a Senator disagrees with a prospective trustee’s positions on policy or with something they have written outside of their public trustee functions, that Senator is also free to vote against that nominee on that basis.

However, in my opinion, it is shameful for Members of Congress to engage in unreasonable and false character attacks in order to reinforce the Presidential candidate’s talking points or to raise money for leftwing activists or to help themselves on their political races. Under any circumstances, it is wrong to impugn someone’s character and professionalism by false association.

While this may be par for the course during an election year, there is more than politics at stake here. If Democrats truly have an interest in the integrity of Social Security and Medicare, and their trust funds, then politicizing public trustee nominations is an extraordinarily odd strategy. If we turn these nominations into just another political battleground, the trustee reports will eventually be viewed as political documents, having no unique seriousness or credibility. In the end, that will mean less transparency, objectivity, and integrity for Social Security and Medicare.

This would be terrifically unfortunate.

To conclude, I would just say that, despite some insinuations to the contrary, my plan all along has been to hold votes on the Finance Committee on the President’s nominees for the public trustee positions as soon as possible. I look forward to filling the existing vacancies.

The trustee reports for Social Security and Medicare have historically been void of politics, to the credit of the current and past administrations as well as the public trustees from both sides of the aisle. This has been the case until now, when politics has entered in. My sincere hope is that we can keep it that way.

I am getting a little tired of the Social Security arguments that Democrats wage every election, such as Republicans are going to destroy Social Security. My gosh, we believe in it as much as they do—in fact, I think, a little bit more. We believe we should strengthen that fund. We should keep it alive. We should make sure it is going to be there for your children, my children, grandchildren and, in my case, even great-grandchildren and beyond. But it is not going to be there if we have these kinds of idiotic policy disagreements based surely on politics and how one party might benefit in a political campaign or how any individual might benefit. It is time for us to get rid of all the partisanship and work together to resolve some of these problems. The next time I hear another Democrat say that Republicans are against Social Security, I am going to take that creature on. I call them a creature because they certainly do not deserve to be in the U.S. Senate.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

NATIONAL DEFENSE AUTHORIZATION BILL

Mr. DURBIN. Mr. President, I rise to highlight a number of important provisions in the fiscal year 2017 National Defense Authorization Act. This is the measure in its entirety. It comes with this report. It is about 1,664 pages for the actual bill and another 642 pages for the report. It is no wonder, as it deals with national security issues as well as the Department of Defense and many other agencies. It is clearly the product of many hours and months of work by the members of the committee, as well as the staff.

We consider it on the floor of the Senate and have a special responsibility to look at it very carefully. This bill, of course, will take some time to be digested and analyzed. We have been in that process this week. Many of us count on our professional staff whom we have work for the defense appropriations committee. They also look at this measure to see how it squares up with the actual spending bill. I don’t serve on the defense authorization committee; I am on the spending part of it, the defense appropriations subcommittee. We approved our measure

today and reported it from the full Appropriations Committee. It will be coming to the floor in a few weeks.

What is the most pressing concern when it comes to our national defense? Most Americans would rightly say it is terrorism. Terrorism is a real threat to America and to our families. We have to do everything in our power to prevent terrorism from reaching our shores and to dismantle it and destroy it overseas. It is a large undertaking.

The United States leads the world in dealing with global terrorism. This bill we are considering has elements in it that address that challenge. I take the threat seriously, and as vice chairman of the Defense Appropriations Subcommittee, I have worked with the senior Senator from Mississippi, Republican Senator THAD COCHRAN, to try to make sure our troops have the funds they need to wage the fight overseas.

To defeat ISIS, we should defeat them on the ground in Iraq and Syria and dismantle their international terror network. We also must continue to prevent the spread of terrorism here at home through stronger homeland defenses and work with our allies to strengthen their intelligence-gathering. To win, we have to mobilize the full force of the U.S. Government against ISIS and ensure that every national security agency has what it needs to keep us safe—at not just the Department of Defense but at all of the intelligence agencies: the Department of Homeland Security, the Federal Bureau of Investigation, the State Department, and the Treasury Department. It is not DOD's fight alone.

This Defense authorization bill contributes to that strategy to stop the spread of terrorism. It authorizes funds for the fight against Al Qaeda, the Taliban, and ISIS, and also includes \$1.7 billion to build the capacity of our allies in Iraq, Syria, and the broader region.

Finally, like this year's Defense appropriations bill, this bill also consolidates a lot of duplicative programs in order to make the fight more effective. It streamlines the authorization for funding for DOD efforts to train and equip our top partners. It will mean better oversight. It will mean more fighting time against ISIS and Al Qaeda instead of more time fighting among the bureaucracy in the Pentagon.

There are several other good provisions in the committee bill which represent a bipartisan consensus between the chairman and the ranking member. I commend the chairman and the ranking member for refraining from budget gimmickry, as we have seen in the other body across the Rotunda.

Our House colleagues recommend authorizing and appropriating only half of what our men and women in uniform need to keep us safe—half an appropriation—through April of 2017. Testifying in front of my Defense Appropriations Subcommittee, Secretary of Defense Ash Carter called this House

“gambling with warfighting money at a time of war, proposing to cut off troops' funding in places like Afghanistan, Iraq, and Syria in the middle of the year.” I am glad we have refrained from those tactics in the Senate.

The bill also authorizes a well-deserved pay increase for our uniformed and defense civilian workforce. It rejects a request by the Department of Defense to authorize a future Base Realignment and Closure, or BRAC, Commission. Many of us have lived through a lot of these BRAC Commissions. I am not optimistic that if we embark on another one, it will have positive results.

Like many of my colleagues, I strongly oppose Russian President Vladimir Putin's reckless invasion of Ukraine, so I also appreciate this bill's authorization for additional military assistance for Ukraine.

There are several issues which are not addressed in this bill which I hope we can address on a bipartisan basis. Unlike previous years, the bill contains no extension for the Afghan special immigrant visa program so that we may continue to keep faith with those foreign translators who risk their lives to help American troops. Senator SHAHEEN and others have championed this effort, and I hope we can deal with it appropriately.

There are several provisions in this bill that are controversial. I would like to address a few.

The closure of Guantanamo Bay in Cuba is an issue that I think is timely and extremely important. This bill once again blocks the transfer of detainees from Guantanamo Bay to the United States. Some of my colleagues are threatening amendments to tighten these restrictions further.

The reality is, every day Guantanamo stays open, it weakens our alliances, inspires our enemies, and calls into question our commitment to human rights. Time and again, our most senior national security and military leaders have called for the closure of Guantanamo.

The troops—the service men and women who are responsible for maintaining Guantanamo—have an almost impossible assignment. I have been down to Southern Command in Florida. I have talked to them. They are doing their level best to make sure Guantanamo Bay meets standards. I don't hold against them the reputation Guantanamo has in many places in the world, but the fact is, we should look at Guantanamo in honest terms.

In addition to our national security costs, every day that Guantanamo remains open, we are wasting taxpayer dollars. Many colleagues come to the floor and make speech after speech against wasteful Federal spending. So let me give a classic example at Guantanamo Bay. According to this authorization bill, we are now spending \$5.5 million a year for each of the prisoners at Guantanamo Bay.

What if those prisoners were put in the most secure Federal prisons in

America, supermax facilities where no one has ever escaped? How much would it cost us? Would it cost \$5½ million like Guantanamo? No. It would cost \$86,000 a year. Why, then, would we waste millions of dollars on Guantanamo when we know these detainees can be held safely, securely, and without any fear of escape for a fraction of the cost? Because this has become a political symbol, a symbol which the other party is willing to fight for even if it means wasting almost \$500 million every single year to keep Guantanamo open.

All of us are committed to preventing terrorist attacks. Terrorists deserve swift and sure justice and severe prison sentences. But holding detainees at Guantanamo Bay does not administer justice effectively. It does not serve our national security interests. It is inconsistent with our country's history as a champion of human rights.

There are convicted terrorists being held safely in Federal prisons in more than 20 States, including my own. At the Marion Federal penitentiary in Southern Illinois, we are holding convicted terrorists. How many people from Southern Illinois have come to me and objected to the fact that terrorists are incarcerated at the Federal prison in Marion? Exactly none. Not a one. They trust the men and women in the Bureau of Prisons to hold these prisoners safely, even if they are convicted of terrorism. Why, then, do we continue the charade of maintaining Guantanamo for some bragging rights in some places in this world? I don't understand it. If you want to save \$500 million for the taxpayers of America, here is a place to start.

There are also some troubling provisions on guns, including on the reimportation of military firearms for sale. Now, listen to this one. One section of the bill would circumvent State Department restrictions on reimporting surplus military weaponry back into the United States for sale to the public—military weapons for sale to the public in the United States. This is an item that has long been on the gun lobby's list—a wish list that hopes that hundreds of thousands of M-1 military-grade rifles that the United States supplied to South Korea decades ago will come back into the United States, be put in the hands of gun companies, and be sold back in our country. How many people think that bringing in these items—hundreds of thousands of military-grade weapons—and selling them will make us a safer nation? I don't.

Section 1056 of the bill would have the U.S. Army basically serve—listen to this—as a free shipping service to bring these weapons back into the United States, thus bypassing State Department restrictions on the reimportation of these guns by private companies. The bill would then direct the Army to make these guns available to the companies so they could sell

them to the public at large—military-grade weapons.

There is also a provision giving military-grade firearms to museums. Another section of this bill would authorize the Secretary of the Army to transfer up to 4,000—4,000 military-grade firearms to public or private military museums, but there is nothing in the bill requiring that the guns be rendered inoperable. There is nothing to prohibit these museums from reselling them to the public as well.

We should be very careful in importing and selling military-grade firearms in the United States of America.

I will defend Second Amendment rights. I will defend the right of individuals to own, use, and store guns safely for sporting purposes and for self-defense. But the notion that we need to bring hundreds and thousands of military weapons back into the United States and put them in circulation—do you really believe that will make us a safer nation? I don't.

The bill also includes a provision affecting Department of Defense-operated schools and school districts that regularly receive impact aid. We need to ensure that our kids are safe as they step onto the bus, walk through school hallways, and enter the classroom each day. When we entrust teachers, administrators, bus drivers, librarians, and others to watch over and care for students, we should have confidence that they are individuals who will actually protect our kids. Indeed, the vast majority of school employees are hard-working, caring individuals dedicated to ensuring that students learn in a safe, nurturing environment. However, we unfortunately have read too many recent headlines about predators who, instead of teaching and protecting kids, ultimately harm and abuse them.

I agree with my colleagues that we need to put in place a comprehensive background check system that will close loopholes and establish zero-tolerance policies for sexual misconduct by school employees. That said, I have serious concerns with section 578 in this bill. This provision fails to provide adequate due process and civil rights protections for innocent individuals. I am also concerned that this provision is overly broad and could potentially allow schools to dismiss highly qualified individuals who pose no risk to any children. We need to strike the appropriate balance to make sure there is a just process before we make the final determination.

Another troubling provision is Section 829H, which states that the Executive order on fair pay and safe work places would not apply to all defense contractors; rather, just to those who have previously been debarred or suspended as a result of labor law violations. The Executive order simply requires transparency about a contractor's ability to follow long-established labor law. The American people deserve to know why DOD decides to task billions of dollars' worth of work to

these people. We should ensure that the President's Executive order is implemented fairly and consistently across the Federal Government.

The bill also contains three related troubling provisions relating to the issue of how to best protect Americans' national security as it relates to the launching of national security payloads into space. I will have more to say about that as this debate progresses, but I would note at the outset that the provision in the bill which I am pointing to has been addressed at the highest levels by our Department of Defense.

The Secretary of Defense, Ash Carter; the Director of National Intelligence, James Clapper; and the Secretary of the Air Force, Deborah James, all disagree with the chairman of this authorization committee on this issue—every one of them. They all agree that this Senator's proposal would cost taxpayers across America billions of dollars more than the current strategy.

In times of tight budgets, when America, its taxpayers, and certainly the men and women in uniform need every dollar we can save them, you can't explain or defend the position taken by the committee.

The disagreement is over how to best get the United States off the dependence of Russian-made rocket engines for the launching of national security payloads into space. The proposal coming out of the committee from the chairman last year and again this year continues to suggest a rash and abrupt halt to the purchase of these Russian-made engines. Let me make it clear. I want to move away from these Russian engines quickly. I want American engines, built by Americans, to propel those payloads into space. But it takes time. For 2 years we have been appropriating money to achieve this goal. It will take at least 2 or 3 years more for us to reach that goal and have an American-made engine.

This chairman of this committee ignores that reality and says we will just stop when it comes to these Russian engines and take the consequences. Well, the consequences, sadly, are going to be an extraordinary expense for American taxpayers.

As chairman and now vice-chairman of the Defense Appropriations Subcommittee, I am committing to an American-made engine. We have appropriated even more funds for this effort than this authorizing committee has authorized over the last several years. The Air Force is using these funds to liberate us from Russian-made rockets as quickly as possible. But Secretary Carter, Director Clapper, and Secretary James have all testified publicly that the proposal from the senior Senator of Arizona is dangerous to national security and costly.

Secretary Carter, testifying in front of the Defense Appropriations Subcommittee on May 6, 2015, said:

We want to get off of that dependency on Russia, but it takes some time to do so. And

in the meantime, we don't want to have a gap. . . . We can't afford to have a gap because we need to be able to launch national security satellites.

Earlier this year, Air Force Secretary James testified in front of the senior Senator's own committee—from which we are now considering the bill—making the same case, noting that the chairman's proposal “would add anywhere from \$1.5 billion to \$5 billion in additional costs.”

That is a lot of money. I have heard the chairman of this committee come to this floor over and over and over again, suggesting wasteful spending. According to the Secretary of the Air Force, his proposal will end up costing us \$1.5 billion more than we should have to pay for this important part of our national defense. That is a waste of taxpayers' dollars.

I hope my colleagues will pay attention to this issue, and I hope we have time to debate it in detail. There is simply too much at stake for our national security, for our troops, and for the taxpayers to accept the senior Senator's proposal on this matter.

This is a lengthy bill, as I mentioned at the outset. I am sure there are going to be additional measures that we uncover as we go through it page by page, and we will take the time to actually do so.

In the meantime, I thank the chairman and ranking member of this committee for their work to present this body with their committee's product. I look forward to a meaningful debate on the many issues this authorization bill presents.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. MARKEY. Mr. President, tomorrow President Obama will make a historic visit to Hiroshima, the site of the first atomic bombing. He will become the first sitting President of the United States to do so, and I commend him for this long overdue Presidential recognition.

Having traveled to Hiroshima in 1985 to witness the commemoration of the 40th anniversary of that atomic bombing, I know from personal experience that any visit there serves as a powerful reminder of America's responsibility to reduce the risk of nuclear war. That risk remains as real today as it was nearly 71 years ago when we dropped that bomb that killed 140,000 people in 1 day.

In the last few decades, important progress has been made to reduce the threat of nuclear war. The United States and Russia have reduced the size of their nuclear arsenals. The beginning of an additional change is going to happen in 2018 when both the United States and Russia will have no more than 1,550 deployed strategic warheads after implementation of the New START treaty.

But that progress has come at a cost. In exchange for the support of Senate Republicans for passage of the New

START treaty in 2010, President Obama promised to fund major upgrades to America's nuclear arsenal.

Since then, the extent of these upgrades and their costs have swelled. Today it is estimated that President Obama's nuclear "modernization" plan will end up costing U.S. taxpayers nearly \$1 trillion over the next 30 years.

However this modernization plan is little more than a plan to expand America's capabilities, its nuclear capabilities. It would create new nuclear weapons, including a dangerous nuclear air launch cruise missile that will cost tens of billions of dollars over the next two decades.

Nuclear cruise missiles are a particular concern because they are difficult to distinguish from nonnuclear cruise missiles. As a consequence, if the United States used a conventional cruise missile in a conflict with Russia or China, it could lead to devastating miscalculation on the other side and, as a result, to accidental nuclear war.

Worse still, the Defense Department has justified this new nuclear cruise missile by asserting that it is needed for purposes beyond deterrence. The Pentagon explains that the new nuclear cruise missile could be used to respond "proportionately to a limited nuclear attack," meaning that this nuclear weapon becomes more usable in a standoff with Russia, China, or some other country.

When President Obama visited Prague in 2009, he pledged to reduce the role of nuclear weapons in our national security. If the President truly wants to make good on this promise, I think it is important for him to stop these nuclear expansion efforts. He should cancel the funding for the new nuclear cruise missile, which would make the prospect of fighting a nuclear war more imaginable.

In the meantime, Congress can and must act. Rather than plunging blindly ahead by spending money on this dangerous new weapon, we can call for a timeout while we evaluate its costs and its risks. That is why I have submitted an amendment to the National Defense Authorization Act that would delay any spending on the nuclear cruise missile for 1 year so that we can have the full debate on this weapon; so that we can ensure that we understand the consequences of building this new weapon; so that we can understand how the Russians and the Chinese might respond to it; so that each Member of the Senate can understand that it, in fact, has nuclear war-fighting capabilities.

It is not just a defensive weapon; it has the ability to be used in a nuclear war-fighting scenario. How do I know this? It is because this Pentagon, this Department of Defense, says that it is usable and says that it could be used in a limited nuclear war. Do we really want to be authorizing in this Senate that kind of new weapon that makes fighting a nuclear war more imaginable?

I think Americans deserve an opportunity to consider whether tens of billions of dollars of their tax dollars should be spent on a redundant, destabilizing, new nuclear missile. They expect that we will ask the tough questions about the need for \$1 trillion in new nuclear weapons spending, but they especially want us to ask questions about new weapons that the Pentagon is saying make it possible to contemplate a limited nuclear war. That is a debate which this body needs to have. That is a weapons system we should be discussing.

This new cruise missile with nuclear warheads is the tip of the new \$1 trillion nuclear modernization program. We should debate that first. We can examine the rest of the modernization program, the new nuclear programs, but we should at least have that debate and that vote out here. We should give ourselves at least 1 year before we allow it to commence so that we can study it. Then next year we can have the vote on whether or not we want to commence. As yet, I don't think we have had the debate or have a full understanding of what the implications of this weapon are.

Plans to build more nuclear weapons would not only be expensive, but they could trigger a 21st century arms race with Russia and China, which are unlikely—very unlikely—to stand idly by as we expand our nuclear arsenal. The result would be a tragic return to the days of the Cold War, when both sides built up ever greater stockpiles of nuclear weapons. As we get closer and closer to the contemplation that both sides could actually consider fighting a nuclear war, our goal should be to push us further and further and further away from the concept that it is possible to fight a nuclear, limited war on this planet.

The National Defense Authorization Act also contains another misguided provision that would lay the groundwork for a spiraling nuclear weapons buildup. Currently, our policy, the U.S. policy, states that we will pursue a "limited" missile defense—limited. This approach is meant to protect our territory against missile attacks by countries such as Iran and North Korea without threatening Russia or China's nuclear deterrent.

As recognized by generations of responsible policymakers, constructing missile defenses aimed at Russia or China would be self-defeating and destabilizing. Dramatically expanding our missile defenses could cause Russia and China to fear that the United States seeks to protect itself from retaliation from Russia or China so that we can carry out a preventive nuclear attack on China or on Russia. That plays into the most militaristic people inside of those countries, who will then say that they too need to make additional investments and that cycle of offense and defense continues to escalate until you reach a point where we are back to where we all started—with

those generals, with those arms contractors then dictating what our foreign policy is, what our defense policy is.

They were wrong in the 1950s, 1960s, 1970s, and 1980s, and they are wrong today. That is just the wrong way to go. We have to ensure that we are backing away, not increasing the likelihood that these weapons can be used. We don't want to be empowering those in our own country—either at the Pentagon or the arms contractors—because they will have the same people in the Kremlin and their arms contractors who will be rubbing their hands and saying: Great. Let's build all of these new weapons, both offensive and defensive. They would love this. That is why we have to have the debate on the Senate floor.

This generation of Americans deserves to know what its government is planning in terms of nuclear war-fighting strategy. That is what a limited war is all about. That is what this new cruise missile with a nuclear bomb on it that is more accurate, more powerful, more likely to be used in a nuclear war is all about. That is why the Pentagon wants it; that is why the arms contractors want to make it. But it is just a return to the earlier era where every one of these new nuclear weapons systems that had blueprints and were on the table over at the Pentagon are over and the defense contractor has the green light to build it.

What happened every single time is the Soviet Union said: We are building the exact same counterpart system. Was that making the world more or less safe? Was that bringing us closer or further away from a nuclear war? Which was the correct direction for our country to be headed?

Well, thank God, we began to talk at Reykjavik—President Reagan and President Gorbachev. Thank God, we now have a New START Treaty. But as part of the New START Treaty, there was a Faustian deal, and that Faustian deal was that we are going to build a new generation of usable, war-fighting nuclear weapons in our own country. And that Faustian deal is one that would then be lived with by this next generation of Americans and citizens of this planet.

So we need to ensure we can have this debate. The fears that I think are going to be engendered into the minds of those in China and Russia would result in a new dangerous nuclear competition that would have our new defenses be responded to by their building new additional nuclear weapons and by putting them on high alert. You would have to be on high alert, if you were in Russia or China, if you thought we had a defensive system that could knock them down, and if our planning included attacking them.

We don't want either country to be on high alert for a nuclear war. We don't want that. That is where we were in the 1980s. That is where we were in the 1970s—both sides with their finger

on the button. It is unnecessary, it is dangerous, it is a repetition of history, and it is something we should be debating out here. It just can't be something that is casually added without a full appreciation in our country for what the consequences are going to be long term.

So we have an incredible opportunity. It is timely. The President is visiting Hiroshima. It should weigh on the consciences of every one of us that we have a responsibility to make sure we are reducing and not increasing the likelihood of nuclear war occurring.

I have filed an amendment to strike the provision from the NDAA. I urge all of my colleagues to support it. I think that second amendment is also one that deserves a full debate on the Senate Floor. If we want other countries to reduce their nuclear arsenals and restrain their nuclear war plans, the United States must take the lead instead of wasting billions of dollars on dangerous new nuclear weapons that do nothing to keep our Nation safe.

President Obama should scale back his nuclear weapons buildup. Instead of provoking Russia and China with expanding missile defenses that will ultimately fail, we should work toward a new arms control agreement.

As President Obama said in Prague in 2009, let us honor our past by reaching for a better future. The lesson of the past and the lesson of Hiroshima is clear. Nuclear weapons must never be used again on this planet.

President Obama did an excellent job in reaching a nuclear arms control agreement with Iran. That was important, because if Iran was right now on its way to the development of a nuclear weapon, there is no question that Saudi Arabia and other countries in that region would also be pursuing a nuclear weapon. We would then have a world where people were not listening to each other, where people would be threatening each other with annihilation, with total destruction.

Here is where we are. We are either going to live together or we are going to die together. We are either going to know each other or we are going to exterminate each other. The final choice that we all have and the least we should be able to say—if that point in the future is reached and those missiles are starting to be launched that have nuclear warheads on board—is that we tried, that we really tried to avoid that day.

That is our challenge here on the Senate floor—to have this debate, to give ourselves the next year to have this question raised as to whether we want to engage in a Cold War-like escalation of new offensive and new defensive nuclear weapons to be constructed in our country, which for sure then would trigger the same response in Russia and China. By the way, for sure it is saying to Pakistan, India, Iran, Saudi Arabia, and to any other country that harbors its own secret military desire to have these weapons that they

should not listen to the United States because we are preaching nuclear temperance from a bar stool. We are not, in fact, abiding by what we say that the rest of the world should do.

So we should be debating that right now. We should have this challenge presented to us and to have the words be spoken as to what the goals are for these weapons. If the Defense Department says to us this year that this leads to a capacity to use nuclear weapons in a limited nuclear war—and they were saying that to us in the last 6 months—do we really want to have these weapons then constructed in our country? Is that really what we want to have as our legacy?

FRANK R. LAUTENBERG CHEMICAL SAFETY FOR THE 21ST CENTURY BILL

Mr. MARKEY. Mr. President, I also wish to spend a couple of minutes talking about another issue that is a relic of the Cold War era, and that is TSCA, the legislation that deals with toxic chemicals within our country.

There was a law passed 40 years ago to deal with toxic chemicals in our country, but ultimately that law never worked. When we look back, it is like a political, environmental Edsel, still sitting in the garage 40 years later but not useful in protecting American families from the chemicals in our society—asbestos and hundreds and thousands of others. It is just not usable.

Congress stands ready right now, thank God, to reform the last of the “core four” environmental statutes that have yet to be modernized. I hope we will do so with a stronger bipartisan vote than on any major environmental statute in recent American history, and that we do so soon.

This historic vote to comprehensively reform the Toxic Substances Control Act comes after years of hard work by many Senators on both sides of the aisle. We worked for some months to reconcile the two bills, and all of us were driven by the same reason. Since it was written four decades ago, TSCA has sat there untouched. It is a statute that simply does not work to protect anyone. Ever since industries successfully challenged EPA's proposed asbestos ban, EPA has not been able to effectively use the authority Congress intended it to have.

In conference, we truly did take the best of both bills. We made sure EPA will have industry fees to do its chemical safety work. We made sure there will be enforceable deadlines for EPA to write chemical safety rules and for industry to comply with them. We fixed the legal problems in the law that caused the asbestos ban to be overturned and that paralyzed EPA and prevented them from regulating some extremely toxic chemicals. We ensured that when EPA studies a chemical, it considers only the environmental or health effects of that chemical, and that it only considers the potential

cost of regulation when it is writing a rule to regulate it. We made sure that EPA would act more quickly to regulate the most dangerous chemicals, and that vulnerable subpopulations, such as children, pregnant women, and workers would be protected. We made sure the industry could not continue to improperly keep information about dangerous chemicals secret any longer.

In some of the last negotiations that I helped to lead, we made sure that States could continue with the work they are already doing to protect their residents. I am particularly proud that I was able to protect Massachusetts's pending flame-retardant law in these last few key changes to the bill that were agreed to in the last few days.

The fact that we have a bill that has the Humane Society and the U.S. Chamber of Commerce both urging a “yes” vote tells you something. The fact that the bill is supported by the EPA, the chemical industry, many environmental stakeholders, and the trial lawyers tells you something about this bill.

This is like a political Halley's Comet. When you have JIM INHOFE and DAVID VITTER agreeing with ED MARKEY on a piece of legislation, you should take note of that moment in the history of passing legislation. That is where we are. We have something that is historic. The environmental bill of a generation is about to pass.

The fact that 403 Members of the House of Representatives voted yes—403 voted in support of this bill—tells you something. It tells you we rolled up our sleeves and we worked together on a bipartisan, bicameral basis to compromise in the way that Americans expect us to.

I thank all of my colleagues on both sides of the aisle and both sides of the Capitol, and I look forward to watching the President sign this important legislation to protect the health and well-being of all Americans. This is a bill that does protect us from the dangers that Americans are exposed to—whether they are Democrats or Republicans, liberals or conservatives.

This is the way the Chamber should operate. This is the way we should also consider nuclear warfighting policy. We should have the same kind of attention, the same kind of respect for the consequences for generations to come in our country. We should give it the same kind of respectful, bipartisan, bicameral attention that the public can understand.

I thank the Chair for this opportunity.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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