

This legislation also encourages the Federal Government to utilize prize authority and crowdsourcing to spur innovation and public participation in science. These creative approaches will help engage more Americans in the development of the next big thing.

I am proud that the American Innovation and Competitiveness Act also fosters the expansion of the National Science Foundation's Innovation Corps Program, also known as I-Corps. The primary goal of the NSF I-Corps is to foster entrepreneurship that will lead to the commercialization of technology that has been supported by NSF research funding.

The University of Michigan is home to one of seven I-Corps nodes in the Nation and for years has been a shining example of the strength of this program and its ability to translate research into new, innovative startup companies that are improving lives with their products and creating good-paying jobs.

Our bill will expand the I-Corps Program to other Federal agencies, greatly expanding its reach and helping to facilitate the commercialization to a much broader base of federally funded research.

Finally, I am proud of what this legislation will do to support small- and medium-sized manufacturers in Michigan, as well as across the country. The American Innovation and Competitiveness Act provides for more Federal support for regional manufacturing centers, such as Michigan's Manufacturing Technology Center, or MMTC, which has provided support to Michigan businesses since 1991. By increasing the Federal cost share for the Manufacturing Extension Partnership, this bill will allow MMTC to provide training and assistance to more small- and medium-sized manufacturing businesses.

With this legislation, Congress can do its part to support and invest in the U.S. science enterprise. By enacting the American Innovation and Competitiveness Act, we can drive economic growth, increase American productivity, enhance our safety and security as a nation, and secure our competitiveness going forward. We must solidify our position as the country to beat when it comes to innovation and create more good-paying jobs here at home.

It has been an honor for me to work with my friend and colleague Senator GARDNER on this effort. I also thank Chairman THUNE and Ranking Member NELSON once again for their leadership and support throughout this process.

I look forward to the Commerce Committee considering this critical legislation next week, and I hope the full Senate takes up action soon thereafter.

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.

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

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

#### NOMINATION OF MERRICK GARLAND

Ms. STABENOW. Mr. President, today marks the 99th day since President Obama nominated Judge Merrick Garland to the Supreme Court—99 days. Yet Republican colleagues continue to refuse to do their constitutional duty and act on the nomination.

Just this week, we received more proof of Judge Garland's qualifications and another sign that Senate Republicans should act now. As we all know, the American Bar Association, a highly respected nonpartisan and nonideological group made up of qualified experts in the legal field, announced that it unanimously gave Judge Garland its highest rating of "well qualified," and we know they have tough standards. After poring through the available records and speaking to colleagues and peers who know Judge Garland best, here are some of the examples of what they said about him in the ABA report: "Garland's integrity is off the scales." He is a "straight shooter" who is "brilliant, exceptional, and phenomenal."

"Garland is the best that there is. He is the finest judge I have ever met. There is no one who is his peer."

"He is very sharp and works hard to find consensus among the panel. He decides the case but does not decide more than is necessary to resolve the case."

"He always is the best prepared because he wants to get it right."

I would say that is pretty good. I would say all those quotes are amazing. In interviews with hundreds of individuals in the legal profession and community who knew Judge Garland, not one person uttered a negative word about him. I wish we could have that. Not one person uttered a negative word about him.

The Senate has a constitutional duty, as we all know, to provide advice and consent on Judge Garland's nomination. Yet Senate Republicans have doubled down on the obstructionism and said we should not do anything before January 20, 2017, when the next President is sworn in. This is completely irresponsible. We have a Court right now that today came to a tied decision because they didn't have a full complement on the Court on a very important issue that could have been resolved.

Just a week ago, Judge Garland gave the graduation speech at J.O. Wilson Elementary School in Northeast Washington, the school where he tutored students for the past 18 years. He told students in the graduation speech: "Dreams don't come true by magic. . . . Go ahead and dream, and go ahead and work hard to make those dreams come true."

Judge Garland has worked hard for over 19 years, and we have seen his dedication to public service throughout his life and his career.

People in Michigan and all across the country work hard and do their jobs every day to put food on the table, support their families, and build a brighter future for their children. They know they couldn't refuse to do a really important part of their job for 99 days in a row and get away with it.

Tonight Members of Congress on both sides of the aisle will play in the annual Congressional Baseball Game. I hope it will not rain. Baseball, a game that runs for nine innings, requires nine players on the field at a time for a complete team. I hope my Republican colleagues who are playing in the game realize that "we need nine" is applicable both on the field and on the Court.

I call on Republican colleagues to do their job and hold hearings and a vote for Judge Merrick Garland. You have the choice of voting yes or voting no, but we have the responsibility to have the vote.

The PRESIDING OFFICER. The Senator from Ohio.

#### CONGRATULATING COLUMBUS, OHIO, ON WINNING THE SMART CITY CHALLENGE

Mr. PORTMAN. Mr. President, I rise to join my colleague from the other side of the aisle, Senator BROWN, who came to the floor earlier to congratulate Mayor Andy Ginther of Columbus, OH, and the people of Columbus, OH, and Central Ohio for a big victory this week. We won the Federal Department of Transportation's Smart City grant competition. This is something we have been working on for months. It is a big deal to us in Central Ohio. It gives us the opportunity to get \$40 million in terms of a grant from the Department of Transportation to be a model city and also in combination with another grant of \$10 million from Vulcan Corporation and \$90 million that has been raised in the private sector—that is a total of about \$140 million to reshape transportation in Central Ohio to create more economic growth for the citizens of Central Ohio and to be a model not just for Ohio but for the rest of the country on how we can use smart transportation to help create economic growth and opportunity.

I want to thank U.S. Secretary of Transportation Foxx for getting this decision exactly right. As I have said to Secretary Foxx about this competition over the past several months, I believe this is the right investment for our tax dollars. I believe Columbus is the right city. I believe we have done all the right things to be the proper recipient for this. I was honored to help set up meetings between Secretary Foxx and Mayor Andy Ginther. Secretary Foxx was always a thoughtful and respectful listener, and ultimately he made the right decision.

It was a tough competition. We had 77 other cities submit applications, and among the finalists were some very impressive cities, very innovative cities—

Austin, Kansas City, Denver, Pittsburgh, Portland, San Francisco.

It is easy to see why the right choice was to invest in Columbus. It is the fastest growing city in the Midwest in terms of jobs and in terms of population. It is one of the top seven centers in the country for foreign trade now.

By the way, that places a lot of pressure on our transportation system with this growth and with the increase in trade. There is a need for us to be sure our infrastructure keeps up with that success. This Smart City grant will help us ensure that happens.

I thank and commend the more than 100 organizations from Central Ohio that were part of this that expressed interest in working with Columbus on improving this infrastructure—organizations such as the Battelle research institute, the Ohio State University and their research on transportation, Clean Fuels Ohio, and the IBM Analytics Data Center. The Ohio State University had other departments involved in this, as well, in terms of engineering and so on, and dozens of others.

I also thank the leadership of the Columbus Partnership. Alex Fischer did a terrific job of bringing the business community together on this. I mentioned that they also have put \$90 million of private sector investment into this. It is clearly one where the Federal dollars are being leveraged and more than matched.

I convened a meeting in Columbus several weeks ago at the Ohio State University Center for Automotive Research with many of these organizations that are part of this grant application. We talked about the need not just to work together on this grant but to ensure that Columbus and Central Ohio were on the map in terms of being centers for transportation excellence. We have some of the companies there, such as Honda and some of the suppliers, but we also have a lot of the research folks there and a lot of people who are interested in making sure the community becomes more prosperous by helping to move people.

It is almost as though physical mobility through transportation is part of economic mobility in Columbus. We see it that way. I think it is absolutely true.

I was pleased to lead in a letter from the entire Ohio delegation, along with SHERROD BROWN and all of my colleagues in the House—Democrat and Republican alike—in support of this effort. It was bipartisan. It was from the entire State. We were unanimous that Columbus is a sound investment that the Federal Government ought to make.

I thank Mayor Andy Ginther for taking the leadership role in getting this done. It was a team effort and a good example of how the public sector and the private sector can work together to help move our country forward—in this case, to give Central Ohio the chance to show how to move the country for-

ward literally in terms of our transportation movement.

The credit ultimately goes to the city of Columbus. They will put that \$140 million to good use, improving our infrastructure, spurring economic development and jobs. It is a proposal to form a partnership with the Central Ohio Transit Authority, the Mid-Ohio Regional Planning Commission, the Ohio Department of Transportation, Ohio State's Transportation Research Center, which I talked about earlier, and other partners in a five-part strategy, a very specific strategy—access to jobs, logistics, connecting visitors and tourists, connecting citizens and sustainability.

Let me briefly talk about some of these parts of the strategy. As I mentioned, we are creating a lot of jobs in Columbus with these new jobs. We have to be sure workers can commute easily and safely. We are going to study ways in which to move people, not just from suburb to suburb but also to ensure that people who are living in neighborhoods that have high rates of poverty have an access to jobs through the transportation improvement. We have a neighborhood in Columbus called Linden. It is one of the neighborhoods that will be particularly impacted positively by this improvement. The Linden neighborhood has its challenges.

I visited many neighborhoods in Columbus that have challenges, despite the economic growth we talked about. Franklinton is one and South Side is another. We talked about our efforts to spur economic growth, how to fight drug abuse, how to help people who deserve a second chance get one, and how to bring jobs to those communities. The one thing I hear about is the difficulty with transportation—how to literally find a job and then get to that job. People don't have cars, and they have difficulty finding the bus routes that work for these jobs. Unfortunately, some of the jobs are not close to these neighborhoods. This is an opportunity, through this new innovative transportation plan, to connect people to the jobs that are there. By making it easier for residents to travel to and from jobs and schools, we can improve the future of these communities and these families.

Credit is another issue that this proposal will help with. A lot of people who live in these neighborhoods have lack of access to credit. Think about it. Whether it is getting on the Metro bus or using some other form of transportation, such as the car2go or other transportation methods, credit is really important. This project will include looking for innovative ways to bring people off the sidelines and enable them to get around easier by providing credit for transportation.

Columbus also plans to use the grant funds to improve travel information and broadband Internet access and to deploy self-driving cars to connect the East Transit Center to local employers.

Columbus has one of the only cargo-dedicated airports in the world. A lot

of freight moves through Central Ohio. We have the most truckstops of any State in the union. Some 60 percent of U.S. manufacturing facilities and 50 percent of U.S. consumers can be reached within a day's drive of Columbus. So it is a big transportation hub.

I have met with a number of companies, such as Avnet, which anticipates more and more trucks on the road to and from the Rickenbacker Inland Port—again, this is our airfreight center for Columbus—because of this continuing growth. The city of Columbus plans to build a smartphone app for trucks with real-time traffic conditions and routing data for delivery of freight to better ensure efficiency on our roads. This is good for everyone. It is certainly good not only for our transportation companies and trucks but also in terms of safety and efficiency and good for commuters and all drivers.

Another reason for the city's success is that we have so many people now visiting Columbus. Visitors spend about \$5.7 billion every year in Columbus. That gives the city a total economic impact of \$8.7 billion and supports 71,000 jobs for Ohioans. We need to be sure we continue to find ways to have the smart transportation project work with this increasing number of visitors.

We plan to work with organizations like Experience Columbus to build a smartphone app to provide real-time information relating to events in the city for visitors, parking, traffic, and transit options. By helping visitors get around easier, we can help improve their experience in the city and also make Columbus even more attractive to more visitors and stimulate increased economic activity and jobs.

These are some of the things that are going to happen as part of the Smart City grant. We also intend to focus on sustainability, and that would be to increase the use of cleaner ways of transporting people and goods. We will be expanding the electric-vehicle charging infrastructure and converting more of the city's bus system to compressed natural gas. The electric vehicles will reduce carbon emissions even as we are increasing transportation capabilities. This investment will not only have a positive impact on jobs but also on the environment. It is a win-win.

Again, I congratulate Secretary Foxx on making a good investment decision, one that will help Columbus make history and create opportunities for Ohioans, and, most importantly, congratulations again for all of Central Ohio and those who put together this incredible application. I look forward to working with them closely to ensure that the money is well spent and that this project does indeed become a model for the rest of Ohio and the rest of our country.

I thank the Presiding Officer, and I yield back my time.

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

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

#### UNITED STATES V. TEXAS SUPREME COURT DECISION

Mr. SESSIONS. Mr. President, today the Supreme Court, in the case of the United States v. Texas, rendered an interim victory for the rule of law in America. It is a victory for the constitutional process by which Congress passes laws, and the President faithfully executes those laws. He has taken an oath to do that. He is the chief law enforcement officer in America, and Congress is the body that passes and makes laws. We have immigration laws, most of which have been on the books for many years. They reflect the decided view of the government and people of the United States of America. Those laws must be enforced in an effective and consistent way.

The decision that was made today means that the injunction issued below stands, at least on an interim basis. In other words, an order was issued by the lower court to block the President of the United States from carrying out a series of actions that he wants to carry out, but could not because he lacks the authority. It is a huge, significant constitutional matter.

If you remember, colleagues, it wasn't too long ago that we had a national debate and vote about reforming immigration laws in the United States. I believe that was not a good reform. We debated it and it failed in the Congress. It did not get the support of both Houses, although it did get the support of the Senate. The proposal failed. The American people spoke clearly on it. They contacted us in large numbers.

People began to understand that the bill would not be effective in doing what it promised to do; that is, to end the illegality. It was going to be effective in granting amnesty to virtually everybody unlawfully in the country today, but it would not have been able to carry out an effective and lawful system for the future. That is what I believe. I was a Federal prosecutor for 15 years. We tried to read the law and make sure it was effective; but this law was not effective.

So the President just decided: "I am going to use my pen and I am going to issue orders to all of the executive departments and agencies that are obliged to enforce the laws of the United States and I am going to tell them to do what the Congress rejected. I am going to execute an amnesty by the signing of my pen that legalizes everyone in the country here today."

It is an unbelievable overreach, a matter of tremendous import, and it is an affront to the legislative process. It is an affront to the majority of the American people who want a lawful

system of immigration—one that serves their interests, serves the interest of America, the national interest, not some special interest that wants cheaper labor, and not some political interest that is looking for votes—but what is the policy that best serves the American people. That is what this issue is all about.

The Supreme Court, by a 4-to-4 vote, concluded that the injunction should remain; that is, they blocked the President, at least on the portion of the Executive orders that were before the Court. He has done some other things that were not before the Court, and I think would be at risk, too, if properly challenged, but they haven't made it to the Court yet.

If my colleagues remember, the judge heard the case and issued an injunction, blocking the President from going forward with his own plan for immigration and one that Congress had rejected. Then the United States Court of Appeals ruled that the judge was correct, and now, by a 4-to-4 vote, the ruling of the Fifth Circuit has been upheld.

In November of 2014, the Obama administration went on strike. It just announced: "We are not going to follow the requirements and the laws of the United States with regard to immigration."

President Obama said: "I am going to direct my offices to carry out a policy that I think should be the national policy. I am sorry Congress didn't pass it, and the historic law remains in place, but I am going to direct my officers not to do it."

That is what he did. In effect, it was a seizing of the enforcement of immigration law in so many key ways. Under the guise of what he called exercising prosecutorial discretion, his orders directed law enforcement officers not to enforce plain law, forcing them to violate their oath of office to support and defend the Constitution of the United States and his own oath, which is to see that the laws are faithfully executed. In so doing, he effectively eliminated entire sections in the United States Code.

Not only did President Obama direct his officers and agents, all of whom are in the executive branch under his supervision as the President of the United States—the Chief Executive—he ordered those agencies of the Department of Homeland Security not to follow the plain law. He further decreed that those who came here illegally and had children in the United States would be allowed to stay in the United States and be granted work permits and access to certain Federal benefits—people who entered the country unlawfully.

No wonder Immigration and Customs Enforcement officers have such low morale.

An objective Federal study that is done every year or periodically evaluates the morale of the Federal officers in the United States found, I think

again this year, that the morale of the Department of Homeland Security is the lowest of any Federal agency. Why is this? Because they have been ordered not to do their duty. They put their lives on the lines in dangerous circumstances, and they arrest people, they bring them in, and what happens? They are not deported. They are released on bail or some sort of promise to appear, and they go into the country as they planned to do all along.

This is extremely discouraging for our officers and agents. It is wrong, it should not happen, and it is a cause of the increasing number of illegal immigrants we have in the Nation today.

In fact, I say to my colleagues, a few years ago, the Immigration and Customs Enforcement Officers Association filed a lawsuit against Secretary Janet Napolitano and John Morton—their supervisors—and said that you are ordering us to violate our oath to enforce the law. I have never seen a lawsuit like this, thousands of officers suing their supervisors for ordering them not to do their duty. This is wrong. It lowers morale.

When you have that kind of situation, what message does it send to the world? It sends a message to the world that if you can get into the United States, you are going to be successful, you can stay here, and you don't have to come according to the procedures in law. We have seen an increase in lawlessness in recent years. In fact, it looks like this year, among a number of categories, we have already reached the same level of arrests we did in all of last fiscal year. So we are having a rather significant increase again this year.

Well, what happened? Over half the States in the United States filed a lawsuit in Federal court. Judge Andrew Hanen in the United States District Court for the Southern District of Texas, heard the case. It went on for a considerable amount of time. The Department of Justice defended President Obama's actions. So the top lawyers in the U.S. Department of Justice went to Texas, they defended the administration, and they were opposed by more than half of the States. Judge Hanen heard the case and he issued an injunction. He said: Mr. President, you are changing the regulations of the United States that have been issued pursuant to the Immigration and Nationality Act. You are changing those, and before you can change regulations, you have to be able to go through a process. You have to have notice and opportunity for people to be heard and objections to be made before the regulations can be altered. That was basically the decision he rendered.

The U.S. Court of Appeals for the Fifth Circuit upheld the injunction, and today's decision confirms that the Obama administration's lawless plans may not proceed.

But the fight is far from over. The case will now be sent back to Judge Hanen for additional litigation on the