

do now is strike a prohibition on displaying the Confederate flag. So if they got their way, you could fly Confederate flags on any military cemetery you want. And, of course, it sets a terrible precedent by offsetting emergency spending with offsets like ObamaCare, cutting Ebola money.

We did the right thing. All the press—you might find a headline someplace on some rightwing blog, but the fact is, the Republicans know they failed on funding Zika, and all the press indicates that is the case.

#### PUERTO RICO

Mr. REID. Mr. President, today we are going to finally consider legislation addressing Puerto Rico's economic crisis.

For the past year and even longer, Democrats in both Houses of Congress have proposed legislation that would empower Puerto Rico to adjust a significant portion of its debt. Every time we have tried, it has been blocked by the Republicans.

As the weeks and months passed without a solution, the situation in Puerto Rico has worsened, and that is an understatement.

In the New York Times this morning, the editorial board stressed the importance of congressional action, and I quote what they said:

The fiscal crisis in Puerto Rico is also a humanitarian crisis. The Senate now has an opportunity—and the obligation—to address both. It is scheduled to vote on Wednesday on a bill already approved by the House that would restructure the island's debt and could create the conditions for recovery.

If the bill loses, Puerto Rico will default on Friday on a \$2 billion debt payment, creditors will keep suing for full repayment and essential services on the island, including health, sanitation, education, electricity, public transportation and public safety, will continue to decline.

The economic crisis is a humanitarian disaster. Medical services have diminished. Hospitals are unable to pay their bills. Puerto Rico's largest hospital has closed two of its wings and reduced the number of beds by 25 percent and cut pay for all employees. Electricity at one hospital, the Santa Rosa Hospital, was suspended for lack of payment. Can you imagine one of our hospitals having to close because the electricity bill can't be paid? Puerto Rico's only air ambulance company had to suspend operations. At the pediatric center in Puerto Rico's primary medical center, pharmaceutical providers are only going to supply chemotherapy drugs COD, cash on delivery. How troubling is that? Children are being deprived of cancer treatment medication.

The effects of Puerto Rico's debt crisis reach beyond health care. Already, the Puerto Rican government has been forced to close 150 schools. Leaders anticipate closing a total of 500 schools in the next few years. That would be half of all public schools in Puerto Rico. Businesses have shuttered. Labor force

participation is substantially below the U.S. average. Puerto Ricans on the island are fleeing to the mainland at an alarming rate.

Even as Puerto Rico was drowning in more than \$70 billion of debt and forced to take unprecedented austerity measures, Republicans in Congress dithered. They continued to waffle. Finally, this spring congressional Republican leaders agreed to negotiate and address this economic and fiscal emergency.

The legislation before us is far from perfect. Oh, is it far from perfect. What they have done to labor, minimum wage, the oversight board, environmental—it is bad stuff. It is far from perfect. I share my colleagues' very deep concerns about this compromise legislation.

If Republicans were serious about pro-growth measures, they should have addressed some of the disparities Puerto Rico faces under Federal programs. They should have worked with us to fix Puerto Rico's unequal treatment under Medicaid and Medicare or extend key refundable tax credits to the island's government. Republicans should have extended overtime rules and the minimum wage.

I take issue with the oversight board and their excessive powers and appointment structure.

For all the Republican leader's promises about an open amendment process, Democrats have not been allowed to offer amendments to improve the bill. The tree is filled. How many times did we hear the Republican leader come to the floor and say: Oh, it is terrible; REID has filled the tree. Well, I should have waited and taken some lessons from him. We will just add that broken promise to the Republican leader's growing list of not keeping his word, such as the budget, a full workweek, and tax credits that are so vital to renewable energy projects.

If Democrats had written this bill, it would be very different from what we are voting on today. But I am going to vote for passage of this bill because we must help Puerto Rico before July 1. Otherwise, we turn that island nation—country, I should say—all American citizens—turn them over to the hedge funds, and they will sue them to death, and that is too bad. We must do something now.

As the Democrats stated in a letter that every Member of our caucus sent to Senator MCCONNELL earlier this year, Puerto Rico needs a workable debt-restructuring process.

While there are many things we may not like about this legislation, at the end of the day this legislation provides tools that allow Puerto Rico to survive, to hopefully restructure a meaningful portion of its debt. I wish we had something better.

Secretary Lew sent a letter to Senator MCCONNELL and to me a few days ago.

[Puerto Rico's] only hope for recovery and growth is legislation that authorizes the tools necessary for better fiscal management and a sustainable level of debt.

While much work still needs to be done, this legislation meets the Treasury's criteria, and it is a step in the right direction.

Not acting today to provide Puerto Rico with debt relief and protection from creditors' lawsuits will have dire consequences and worsen the crisis.

Puerto Rico's only elected representative in Congress, Resident Commissioner PEDRO PIERLUISI, said it best in a letter he sent to me:

PROMESA—

Which is a word meaning "promise" in Spanish, and that is the name of this bill—

is an imperfect but indispensable bill that constitutes the only realistic means to prevent the collapse of Puerto Rico's government; to protect regular citizens, pension plan participants and bondholders; to stem the tide of Puerto Rico families moving to the states; to enable the Puerto Rico government to regain access to the credit markets; and to lay the groundwork for Puerto Rico's economy to grow.

The Resident Commissioner is correct. Mr. President, 3.5 million American citizens who call Puerto Rico home need this relief, and they need it now. We should pass this legislation today and give Puerto Rico the relief it so desperately needs.

Mr. President, would the Chair announce the business of the day.

#### RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

#### NATIONAL SEA GRANT COLLEGE PROGRAM AMENDMENTS ACT OF 2015

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the House message to accompany S. 2328, which the clerk will report.

The bill clerk read as follows:

House message to accompany S. 2328, a bill to reauthorize and amend the National Sea Grant College Program Act, and for other purposes.

Pending:

McConnell motion to concur in the House amendment to the bill.

McConnell motion to concur in the House amendment to the bill, with McConnell amendment No. 4865, to change the enactment date.

McConnell amendment No. 4866 (to amend amendment No. 4865) of a perfecting nature.

McConnell motion to refer the House message on the bill to the Committee on Energy and Natural Resources, with instructions, McConnell amendment No. 4867, to change the enactment date.

McConnell amendment No. 4868 (to (the instructions) amendment No. 4867), of a perfecting nature.

McConnell amendment No. 4869 (to amendment No. 4868), of a perfecting nature.

The PRESIDING OFFICER. Under the previous order, the time until the cloture vote will be equally divided between the two leaders or their designees.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, parliamentary inquiry: How much time do we have before the vote?

The PRESIDING OFFICER. There is 36 minutes remaining prior to the vote.

Mr. DURBIN. There is 18 minutes a side, I understand?

The PRESIDING OFFICER. The Senator is correct.

Mr. DURBIN. Is that divided on position on the bill or on a partisan basis?

The PRESIDING OFFICER. Between the two leaders or their designees.

Mr. DURBIN. Thank you.

I see the Senator from Oklahoma seeking recognition.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. I thank the Senator from Illinois.

#### WATER RESOURCES DEVELOPMENT ACT

Mr. INHOFE. First, Mr. President, I have been told I will have our time that I may use, and I appreciate that very much.

This morning we heard from the ranking member—from both sides. I am going to bring up something here that everyone agrees on, and that is with the things we do in our committee—we passed our highway bill, and we passed the TSCA bill. Right now, I wish to talk about the WRDA bill that is coming up.

I am on the floor today to express urgency to the often-neglected issues surrounding our Nation's water resources and water infrastructure.

In my nearly five decades in elected office, I have watched the impacts of Congress prioritizing and failing to prioritize our Nation's water system.

In 1986, Congress enacted the cornerstone WRDA legislation that set cost-share standards and created the harbor maintenance trust fund and the island waterways trust fund. Following this bill, it was intended for Congress to reauthorize WRDA every 2 years. "WRDA" means "Water Resources Development Act."

When we talk about what happened in 1986, not many people are aware of the fact that my State of Oklahoma is actually navigable. We have an inland waterway.

It was our intention at that time to have this bill every 2 years because it is just as significant as the highway bill. But then the trend came to a halt. Between 2007 and 2014, the WRDA bill—Congress went 7 years without a WRDA bill, the Water Resources Development Act. We got back on track 2 years ago. This is important because now we are getting back on track to get into the 2-year cycle.

Our coastal ports are grossly behind in their deepening projects to accommodate post-Panamax vessels. As you can see on this chart, the levees and flood walls are inadequate and well below the necessary level of protection. Our water infrastructure has become so

deplorable that communities don't have the necessary resources to provide clean, safe drinking water, as you can see on this chart.

This is not a partisan problem; this is a national crisis. A lot of the things we are going to be talking about around this place—and we will see it today—are partisan. This is not.

The last WRDA took on the major reforms, and now, 2 years later, it is time for another WRDA to help clear up the logjam of Corps projects—the Corps of Engineers—and address concerns with aging infrastructure. Too often we take for granted how water resources and how water infrastructure projects affect our daily lives.

Some will argue—unlike the highway bill—that the WRDA bill is not considered a must-pass bill, that there is no shutdown of a program. However, I would argue that the WRDA bill is a must-pass bill.

Without WRDA, the 27 chiefs' reports included in the bill for port-deepening, flood protection, and ecosystem restoration will get put back on the shelf, and their construction will be delayed even further and it will cost much more money later on to make that happen.

Look at the aging infrastructure, the lead pipes. We saw what happened in Michigan, and we are addressing these things, these kinds of problems.

I have a letter addressed to Leader MCCONNELL and Majority Whip CORNYN, with 31 signatures from my fellow Republicans, asking Republican leadership to bring WRDA 2016 to the floor in the next few weeks.

I know my colleague Senator GRAM supports WRDA. He has been fighting to authorize the deepening of the Charleston Harbor for several years now, as you can see on the chart. Any further delay in this project is going to cause unwarranted economic loss to his State and the Nation as we prepare for the increased use of the post-Panamax vessels that we are all aware are on their way.

The same could be said for several of my other colleagues who have a vested interest in their projects. In this bill, port-deepening projects in Florida, Alaska, Maine, and Texas would be better positioned for those States to capitalize on increased import and export projections over the next 20 years.

Flood projects in Kansas and Missouri would provide communities in their State the necessary assurance that homes and businesses will not be flooded by the next storm.

Ecosystem restoration projects in Florida, Illinois, and Wisconsin would stimulate recreational and commercial economies otherwise left behind, as we can see here. That is Florida on our chart.

Senators VITTER and CASSIDY also support the passage of WRDA. Their State has experienced more catastrophic disaster from storms and flooding in the past decade than any other. They, too, have a project pro-

posed for flood protection that had been studied for nearly 40 years. You can study something to death and never get anything done. If this project had been prioritized and constructed in the early 2000s as we intended, then St. John Parish in Louisiana and the surrounding communities would not have endured \$600 million in damage from Hurricane Isaac in 2012.

That is just a snapshot of what has been included in the WRDA bill.

Water resources and water infrastructure projects are integral to our everyday lives—as we see in the next chart, the levees to protect our communities from floodwaters; ports and waterways that move American goods and services to a global marketplace.

In addition to the traditional water resources projects and the provisions that have dominated WRDA bills in the past, Senator BOXER and I decided to go one step further and address the pressing water infrastructure crisis facing this Nation. As we put this bill together and we held hearings on critical water resources and infrastructure, we heard how communities are struggling to meet ever-growing clean water and safe drinking water mandates that are needed for flexibility and for targeted assistance.

By the way, if people are wondering right now why we are dividing the time before voting on a bill, I was going to make this presentation yesterday, but the Senator from New Jersey dominated the floor so that was not possible.

Our witness representing rural water, Mr. Robert Moore from Madill, OK, recommended that we target the grant assistance program addressing issues of greatest necessity. These programs include assistance for small and disadvantaged communities.

This is something that is particularly of concern in my State of Oklahoma. We are a rural State. We have many small communities, and we have the unfunded mandates come down from Washington, and we just can't handle those. This is the one program that helps States like my State of Oklahoma.

We have also empowered local communities to meet EPA mandates on a schedule that is doable and affordable for the community and that allows the community to prioritize addressing the greatest health threats first. That is good. That allows the communities to make these determinations.

In addition to providing disaster relief for Flint, MI, we have also capitalized the new Water Infrastructure Financing Innovation Act Program, which can provide secured loans for water and wastewater. That is actually called WIFIA. I think we are all familiar with that program.

Without being able to get this done, none of these good things are going to happen. We have in this bill \$70 million for this new program that delivers as much as \$4.2 billion in secured loans. We are talking about the WIFIA Program. This is a fiscally responsible way

to partner with the States and provide Federal assistance. So when we are concerned about Flint, MI, there are other problems in other areas that meet the same criteria.

We heard how new technologies can help address droughts and other water supply needs, like the issues we face in the Red River in Oklahoma. S. 2848 addresses this issue by promoting new technologies and the transfer of desalination technologies from other countries facing the same problems. Passing WRDA 2016 would guarantee the Federal Government's principal commitment to resilient water resources and water infrastructure and strong commerce.

This is a major bill. We are all concerned. We are all very familiar with what we did in this committee. I often say the Environment and Public Works Committee is a committee that actually does things, and we did. We did the highway bill, we did the TSCA bill on chemicals, and this is the WRDA bill coming up.

From the outset, Senator BOXER and I have worked closely with Senate Republicans and Democrats to make sure that all Members were heard and no one was left behind. We have done this successfully on several occasions, as I mentioned—the FAST Act and TSCA—and we have delivered for every Member of this body. We have done the same thing with the WRDA bill, and that is what we are talking about doing now.

We listened to your concerns, we engaged your constituents and your project sponsors in your respective States, as well as the users of our waterways and transportation infrastructure. The message was clear and uniform: Get back to regular order and build upon the reforms in the WRDA bill of 2014. We went 7 years without doing what we were supposed to be doing every 2 years, and now we are back on schedule to do that—to empower the Army Corps and local host sponsors to help keep our water resources infrastructure strong and functioning.

Let me close by saying that not passing this bill would result in nearly \$6 billion in navigation and flood control projects being unnecessarily delayed or never constructed. There would also be no critical reforms to the Army Corps of Engineers and their policies, no essential affordability reforms for the communities' clean water infrastructure mandates, no new assistance for innovative approaches to clean water and drinking water needs to address drought and water supply issues, no resolution of the national lead emergencies, like in Flint, MI, and no dam rehabilitation programs.

So today, I am asking the leadership and my fellow Republicans to seize this valuable opportunity and bring the WRDA bill of 2016 to the floor. I know we want to do our appropriations bills, but we need to sandwich this in. We want it to get to the floor and passed

before the July recess. Time is really of essence.

We are putting the managers' amendment together now. I encourage all Members to bring to me and to BARBARA BOXER their concerns and their amendments so they can have the proper consideration on this bill. If you bring them down, we can do that. We are going to be ready to do this very significant bill. It will take a lot of co-operation by a lot of people. It is something we are supposed to be doing in this country.

People are impatient this morning, so I am going to yield the floor.

The PRESIDING OFFICER (Mr. COTTON). The Senator from Washington.

Ms. CANTWELL. Mr. President, on this debate we are about to pursue, I ask unanimous consent that 9 minutes be given to the opponents and 8 minutes to the supporters of this legislation. I would like to take 5 minutes now, reserving 5 minutes for Senator MENENDEZ, and give my colleague from Illinois 8 minutes to control for people who are supportive of this legislation.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Ms. CANTWELL. Mr. President, I come to the floor to ask my colleagues to not vote for cloture on this measure and to give the Senate a chance to work its will.

Many people know this legislation is being brought over from the House. I appreciate the good relationship I have with my colleague from the Energy and Natural Resources Committee, and I would love the opportunity to have their input into this legislation, as many of my colleagues would, with just a simple amendment process. That is being denied here today if we, basically, invoke cloture.

Everybody has admitted this is a flawed bill. There is not one person who has done a presentation on this that hasn't admitted it is a flawed product from the House of Representatives. So why not take a little time today and improve that bill? Why not let the Senate work its will, as we do on so many issues—because we have the time? As I think my colleague from New Jersey will prove, we are definitely going to be here for a few days doing nothing. So, why not, instead of sitting here doing nothing, take the chance to improve a bill that, by all accounts, is flawed?

Also, there is so much discussion that somehow July 1 is a magic date. Well, actually, July 11 is the next scheduled legal hearing on this, and that is plenty of time for the Senate to weigh in on a few ways to improve this legislation and to make sure we are not suspending the constitution of Puerto Rico in the process.

There are many questionable issues about the structure of this bill. I certainly prefer a structure that is clean and simple, understood by my colleagues, and is going to lead to success by all of us. Why do I say that? Because

the continued wrangling over the debt in Puerto Rico by a process that will be challenged on its constitutionality means that Puerto Rico will continue to be bled, the United States Government will continue to be bled, and we will not get a resolution of this issue.

The appointments clause requires that these officers, who are being appointed under the authority of Federal law, be appointed by the President and confirmed by the Senate. But, if this bill is enacted, we will have board members who have significant authority over Federal law and they are not appointed by the President and they are not confirmed by the Senate. So it is going to be challenged constitutionally.

Why is this important? Because there are hedge funds out there that took Argentina's debt and it took almost a decade to get a resolution because they could win in court. We want a process here in legislation in which all of the debt is part of a discussion, and in which people can offer solutions as to how to get out of this situation by giving bankruptcy to Puerto Rico.

Also, there are questions about this board and who they are? Besides the fact that they are likely to be challenged in court as unconstitutional, I brought up the point last night that they can actually receive gifts. Gifts from whom? What gifts? What can the board receive? Is it cars? Is it equipment? Is it airplanes? What is it they can receive?

So we are here now to say: Let's take the time, instead, to make sure we are going through this process and improving the bill in the Senate. I think this is something my colleagues on both sides of the aisle can appreciate. What is hard to appreciate is that this small group of people are being given some very large powers.

This group of people—just a simple majority of four of them—appointed by the two leaders of the Senate and the House, can approve the fiscal plan for Puerto Rico, approve the budget for Puerto Rico, set aside an act of law by the Puerto Rican Legislature, and disapprove or approve and expedite permitting of projects. So, this is a lot of power. If you don't think someone is going to challenge the constitutionality of this, I guarantee you they are going to challenge it. In the meantime, we will have legal wrangling and a continued process.

I urge my colleagues to vote 'No' on this legislation. Give the Senate a chance to work its will and make sure we are protecting the U.S. taxpayers on the amount of debt we will be seeing with this legislation if we don't move forward in an orderly fashion.

The PRESIDING OFFICER. The Senator's time has expired.

Ms. CANTWELL. I thank the Chair, and I yield the floor.

Mr. DURBIN. Mr. President, how much time remains on both sides?

The PRESIDING OFFICER. The proponents of the measure have 8 minutes

remaining, and the opponents have approximately 4 minutes remaining.

Mr. DURBIN. I am going to speak, and I know my colleague and friend from New Jersey is here and opposes the measure. I have been given 8 minutes, and I don't know how much of that time I will use. I will try to leave whatever is left for his use. I know he spoke yesterday, but I am sure he wants to speak again this morning. I will yield whatever is left.

The other remaining time, as I understand, is controlled by the other side.

Ms. CANTWELL. In the unanimous consent request I locked in 5 minutes.

Mr. DURBIN. I ask for a clarification. Is there still 5 minutes remaining for the Senator from New Jersey?

The PRESIDING OFFICER. The Senator from Washington consumed 5 of 9 minutes, leaving 4 minutes remaining for the opponents of the bill.

Mr. DURBIN. If I don't use my entire time, I will yield the remainder to the Senator from New Jersey for those with opposing positions.

Mr. President, many times on the floor of the Senate we are faced with difficult, sometimes impossible choices. At the end of the day, you wish you could sit down and write a solution that you believe would achieve its purpose and do it in the most responsible manner. Many times we don't get that luxury, and this is an example.

Puerto Rico is in a unique relationship with the United States. Some have said this agreement is in the nature of a colonial imposition on the island of Puerto Rico. As the laws currently stand, Puerto Rico cannot save itself. It is \$70 billion in debt, and those who hold the debt—the bond holders—are demanding payment.

The Puerto Rican economy is struggling to survive and struggling to make a \$2 billion payment on that debt by July 1. Under these emergency circumstances, there is only one place to turn. It is not an imposing colonial power; it is the United States of America that has been in partnership with Puerto Rico in the past and should be for its future.

We are trying to find a reasonable way through this that will appeal to both political parties. Of course, the political parties see this differently. A Democratic solution to this looks a lot different than a Republican solution. What we have before us is a compromise. It is a measure that was entered into with the cooperation, collaboration, and bargaining between the Speaker of the House, NANCY PELOSI, the White House, and Republican leaders. So it is a mixed bag politically that comes to us today.

I support it, although I would be the first to tell you there are parts of it I find absolutely objectionable. Bringing in the notion that they are going to put their economy on solid footing by reducing the minimum wage is laughable, as far as I am concerned. If you lower that minimum wage to an uncon-

scionable level, more and more people will leave Puerto Rico—which they can legally do—and come to the United States, where the minimum wage is significantly larger than that proposed by the Republicans. The same thing is true when it comes to overtime pay.

I struggle with the powers of this oversight board, but I understand that time and again in history, when entities like New York City and other places are facing virtual bankruptcy, an oversight board has been the vehicle to bring them to stability. I think this oversight board is loaded—even though it is 4 to 3—loaded on the other side, but I hope they will in good conscience come up with approaches that are acceptable.

What is the alternative if we vote no? We will hear a lot of Members say: Let's just vote against this and put an end to it. The alternative if we vote no is to give the bondholders, those who are holding the debt of Puerto Rico, all the cards July 1—all the cards. They can then go to court and force their hand for payment on these debts. And Puerto Rico, which is struggling to provide basic services, will have even more money taken away from them. What is a disastrous situation will become disastrously worse if we vote no and do nothing. This oversight board, for all its flaws, has the power to stop that from happening—has the power to enter into voluntary negotiations on the debt of Puerto Rico, and if they can't reach a voluntary agreement, they have the power to go to court for restructuring all of the debt that faces the island. Now that is significant. I hope it doesn't reach that point. I hope there is a voluntary negotiation. But to say we are going to protest the creation of this board by voting against the creation of the board and this outcome I have described is to throw this poor island and the people who live there into chaos.

I received a telephone call from the archbishop of Chicago, Blase Cupich. I respect him very much. He called me on several issues, but he said: The real purpose for my call is to tell you the archbishop of San Juan, Puerto Rico, has reached out to me and told me of the desperate situation they are facing in Puerto Rico today. About 150 schools have closed. There is no money to buy gasoline for the buses to take the children to schools. Many of the medical services are down to zero. One doctor a day is leaving Puerto Rico, and they can't afford to lose any. Currently, at the major hospital, Centro Medico, there is a serious question as to whether children who are trying to survive cancer will have the drugs they need for a fighting chance. That is how desperate it is. He went further to say the air ambulance service on Puerto Rico, which transports the most gravely ill people to medical care, is now not flying. They can't afford to. People have to pay in cash for dialysis services.

This is a disastrous situation, and the notion that we can vote no today

and not accept the consequences, which will be terrible for Puerto Rico, is not a fair analysis of this problem. Yes, I would have written a different bill. Yes, I would have constructed a different oversight board, but the choice now is not between some ideal or some better approach. The choice is before us. The choice is yes or no, and a "no" vote is one that is going to imperil this island and make the poor people living there face even worse hardship. How can that be a good outcome? How can we bargain for the possibility that several months from now there may be a better constructive oversight board? I think the responsible thing to do is to move forward.

Don't take my word for it alone. I represent the State of Illinois and am proud to do it. My connection to Puerto Rico is through 100,000 Puerto Ricans who live in my State. I have worked with them. I have met with them.

This morning, I received a letter from PEDRO PIERLUISI, who is the Member of Congress from Puerto Rico. He goes on to write:

As Puerto Rico's sole elected representative in Congress, I write to respectfully request that you vote in favor of S. 2328. . . . On June 9th, the House approved PROMESA in a strong bipartisan vote, an all-too-rare event that I hope will be replicated in the Senate this week.

He goes on to talk about the imperfections in this bill, which we all know. But he then goes on to talk about the hardships that the island of Puerto Rico is facing and will face if this bill is not passed. We have received the same request from the Governor of Puerto Rico. To ignore these people and to ignore the people who live there and the perils they face, I don't believe is a responsible course of action. I think we have to move forward in a positive fashion. That is why I am going to support this measure today and urge my colleagues to do the same. It passed with a strong bipartisan vote in the House, as the resident Congressman has related in his letter. It is an indication that as imperfect as this agreement may be, it is the best we can come up with in this terrible and perilous situation facing the island of Puerto Rico.

I urge my colleagues today to vote yes on cloture, vote yes on final passage of this bill. Give Puerto Rico a fighting chance.

Mr. President, I yield the floor.

Mrs. BOXER. Mr. President, I oppose invoking cloture on this measure because the House version of this bill is flawed, and the Senate should have the opportunity to improve it.

Puerto Rico is drowning in more than \$70 billion of debt, equal to nearly 70 percent of the island's GDP. This is a serious situation deeply affecting the 3.5 million Americans who call the island home. And let us be clear: these Americans need their country's help. But the current PROMESA Act is not the answer, and here are two reasons why.

First, one of the provisions in the bill would set up a seven-member oversight board to oversee Puerto Rico's fiscal plan and annual budgets. This board would consist of four Republicans and three Democrats and the Governor of Puerto Rico would serve as a nonvoting member. This is not a fair solution. Representation must be fair, and the way this board is currently proposed, it is one-sided. We need to fix that.

Second, this legislation could reduce the minimum wage in Puerto Rico from \$7.25 an hour to \$4.25 an hour for workers 25 years old and under. How can young workers needing to gain economic independence in a suffering economy begin their careers on solid footing making only \$4.25 an hour? In addition, this would reduce consumer spending, hurting an already weak economy.

We should be lifting all workers—from California to Puerto Rico—up, not letting them fall further and further behind.

We must give Puerto Rico the tools it needs to come out of this disaster stronger and with a clear path forward. As it stands, I do not feel this bill provides the smart and necessary solutions needed to resolve this fiscal crisis, and therefore, I oppose invoking cloture on this measure.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, parliamentary inquiry: How much time do I have?

The PRESIDING OFFICER. The Senator from New Jersey has approximately 3 minutes 40 seconds remaining.

Mr. MENENDEZ. Is that the time that was reserved? I understand there was a 5-minute time reserved.

The PRESIDING OFFICER. The time of the Senator from Washington passed the initial reserve time used against the total reserve time.

Mr. MENENDEZ. I ask unanimous consent to have up to 5 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. MENENDEZ. Mr. President, I rise again this morning to urge my colleagues to vote no on cloture. As drafted, PROMESA exacts a price far too high for relief that is far too uncertain.

I came to this Chamber in September and December of last year to raise the alarm bells about what was happening in Puerto Rico. The majority held the ball and ran out the shot clock, attempting to silence the voice of 3.5 million U.S. citizens living in Puerto Rico in this debate.

So let's be clear about what this vote to end debate means. Despite what the proponents of the bill will argue, opposing this cloture vote is not a vote to allow Puerto Rico to default. Any legislation we pass includes a retroactive stay on litigation, meaning that any lawsuit filed after July 1 will be halted and any judgment unenforceable. As the bill states, the stay bars "the commencement or continuation" of suits

to recover claims against Puerto Rico. It also bars "enforcement . . . of a judgment obtained before the enactment" of the bill. In addition, section 362 of the Bankruptcy Code, which is incorporated by reference into the bill, bars the "enforcement . . . of a judgment obtained before" filing for bankruptcy, once the board files a bankruptcy petition on Puerto Rico's behalf. So even if the hedge funds win a judgment before the stay is enacted, that judgment cannot be enforced, and once the debt adjustment plan is confirmed, the judgment can be discharged.

As the Third Circuit Court of Appeals held in 2012—the circuit that has jurisdiction over Puerto Rico—"Even if [an] injunction is not a claim [for the purpose of the bar against "commencement or continuation" of "claims"], any action to enforce [an injunction] is subject to the stay and cannot proceed without relief from the stay."

I repeat, "Any action to enforce [an injunction] is subject to the stay and cannot proceed without relief from the stay."

There is no doubt that time is of the essence and Congress must act swiftly. However, we shouldn't allow a somewhat arbitrary deadline to force through a fundamentally flawed bill as the retroactive stay gives us time to get this right. July 1 shouldn't be used as an excuse to abdicate our responsibilities as U.S. Senators. With this in mind, I remind my colleagues that a vote for cloture is a vote against even attempting to improve any piece of this bill.

I know many have serious concerns over a lot of provisions in the bill, from the control board to the anti-worker riders, and many are even filing amendments to improve these aspects. A vote for cloture is a vote to disenfranchise 3.5 million Americans. It is a vote to authorize an unelected, unchecked, and all-powerful control board to determine Puerto Rico's destiny for a generation or more. It is a vote to force Puerto Rico, without their say, to go \$370 million further in debt to pay for this omnipotent control board, which they don't even want. It is a vote to cut the minimum wage down to \$4.25 per hour for young workers in Puerto Rico. It is a vote to make Puerto Ricans work long overtime hours, without fair compensation. It is a vote to jeopardize collective bargaining agreements. It is a vote to cut worker benefits and privatize inherently government functions. It is a vote to shut schools, shutter hospitals, and cut senior citizen pensions to the bone. It is a vote to put hedge funds ahead of the people. It is a vote to sell off and commercialize natural treasures that belong to the people of Puerto Rico, a vote to fast-track projects without a careful consideration of the environmental and health impacts, and, most of all, it is a vote against even attempting to fix these serious flaws.

Is our memory so short that we have already forgotten the tragedy of Flint and the emergency board failures that caused it? Are we comfortable allowing this unelected, unaccountable control board to choose budgets over people? Are we content to allow them to veto regulations ensuring clean water because they don't fit the board's imposed fiscal plan? I certainly hope not.

I have heard multiple times in my career that it is this bill or nothing, but I have and continue to reject that false dichotomy. Every issue before the Senate deserves and usually receives a full and open debate, but for far too long we have made Puerto Rico the exception—the "other" that is somehow outside of the United States—treating our fellow Americans like subjects, not citizens: subjects not citizens. Let's break that cycle today. Let's have an honest debate and treat the 3.5 million citizens living in Puerto Rico as we would treat the citizens in any one of our States.

I urge my colleagues to oppose cloture.

Mr. President, I yield the floor.

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

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

#### CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The assistant bill 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 concur in the House amendment to S. 2328, a bill to reauthorize and amend the National Sea Grant College Program Act, and for other purposes.

Mitch McConnell, John Cornyn, Thad Cochran, Marco Rubio, Lamar Alexander, John Hoeven, Jeff Flake, James M. Inhofe, Deb Fischer, Orrin G. Hatch, Johnny Isakson, Bob Corker, Lindsey Graham, John Boozman, Bill Cassidy, Mark Kirk, Daniel Coats.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to concur in the House amendment to S. 2328 shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

The yeas and nays resulted—yeas 68, nays 32, as follows:

[Rollcall Vote No. 113 Leg.]

#### YEAS—68

Alexander	Burr	Cochran
Ayotte	Cardin	Collins
Barrasso	Carper	Coons
Bennet	Casey	Corker
Blumenthal	Cassidy	Cornyn
Blunt	Coats	Crapo

Durbin	Kaine	Roberts
Enzi	King	Rounds
Feinstein	Kirk	Rubio
Fischer	Klobuchar	Schatz
Flake	Lankford	Schumer
Franken	Leahy	Sessions
Gardner	McCain	Shaheen
Gillibrand	McCaskill	Stabenow
Graham	McConnell	Sullivan
Hatch	Mikulski	Thune
Heinrich	Murphy	Toomey
Heitkamp	Nelson	Udall
Hirono	Paul	Vitter
Hoeven	Peters	Warner
Inhofe	Reed	Whitehouse
Isakson	Reid	Wyden
Johnson	Risch	

## NAYS—32

Baldwin	Ernst	Perdue
Booker	Grassley	Portman
Boozman	Heller	Sanders
Boxer	Lee	Sasse
Brown	Manchin	Scott
Cantwell	Markey	Shelby
Capito	Menendez	Tester
Cotton	Merkley	Tillis
Cruz	Moran	Warren
Daines	Murkowski	Wicker
Donnelly	Murray	

The PRESIDING OFFICER (Mr. SULLIVAN). On this vote, the yeas are 68, the nays are 32.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

Cloture having been invoked, the motion to refer falls as it is inconsistent with cloture.

The majority leader.

## AMENDMENT NO. 4866

Mr. MCCONNELL. Mr. President, I ask for the yeas and nays on amendment No. 4866.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

Mr. MCCONNELL. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SASSE). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

## RECESS

Mr. BARRASSO. Mr. President, I ask unanimous consent that the Senate recess until 2:15 p.m., with the time in recess counting postcloture.

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

Thereupon, the Senate, at 1:07 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. CRUZ).

## NATIONAL SEA GRANT COLLEGE PROGRAM AMENDMENTS ACT OF 2015—Continued

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

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that notwithstanding rule XXII, there be 5 hours of time equally divided between the two leaders or their designees; further, that Senator MENENDEZ or his designee be recognized to make a motion to table the motion to concur with amendment No. 4865, and that Senator SANDERS or his designee be recognized to make a budget point of order, and that Senator MCCONNELL or his designee be recognized to make a motion to waive the point of order; further, that following the use or yielding back of the 5 hours of debate, the Senate vote on the motions in the order listed; finally, that if the motion to table is not successful, then following disposition of the motion to waive, the remaining postcloture time be yielded back, the motion to concur with amendment be withdrawn, and the Senate vote on the motion to concur in the House amendment with no further intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Reserving the right to object.

The PRESIDING OFFICER. The Democratic leader.

Mr. REID. Mr. President, the Democrats have 150 minutes. I ask unanimous consent that that be divided as 40 minutes for MENENDEZ, 40 minutes for SANDERS, 10 minutes for CANTWELL, 10 minutes for HEITKAMP, and 50 minutes for proponents of the legislation.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. REID. Mr. President, further reserving my right to object, I would also say that just because you have the time, you don't have to use it. I would hope Senators on both sides would understand that the sooner we get to the votes, the better off we will be.

I would also say this. I appreciate on my side the work done by Senator MANCHIN of West Virginia. That State, in the last few weeks—actually, for the last few months—has been hit harder than any State deserves to be hit. It is just awful what has happened there. Senator MANCHIN has been stalwart in recognizing the work he has to do there.

We understand his advocacy for years now—especially the last few months—on the miners, their pensions, and health care benefits. We recognize that. We think we have ways of helping him, and we have something worked out we think is appropriate, and we have discussed that with him.

I would also recognize Senator SANDERS. Everyone knows the fervency of his opinion on a number of different things, and he certainly has one on this matter, and he has 40 minutes to ex-

plain that. We appreciate his cooperation.

The person who has been a voice on Puerto Rico for more than the last few months—for years—has been BOB MENENDEZ from New Jersey. He has been very articulate in all the caucuses we have had where we have discussed this and on the floor. I admire his feelings on this.

I wish I could say we have solved all of his problems. We have not been able to do that, but I certainly want everyone to know he has done a terrific job of recognizing, in his opinion, what is wrong with this legislation. There is no one better to articulate that position than BOB MENENDEZ.

Senator CANTWELL has worked very hard on this legislation with the chair of the Energy Committee, the senior Senator from Alaska. They have worked very hard. They had a way forward, but they couldn't get it done. They are going to continue to work on putting something together. We need more of that.

We have an Energy bill coming up. We hope we can work something out to get to conference on that and move forward on that. That is a bill that is years overdue. We have been trying to do that for almost 5 years. So I hope we can work something out.

Senator HEITKAMP is going to come and give us her opinion on what we should do on Ex-Im Bank. She has been articulate and working with Senator CANTWELL on that.

I appreciate the work of the Republican leader, and his assistant, the senior Senator from Texas. This has been kind of a difficult issue for everybody. We all didn't get what we wanted. That includes Democrats and Republicans. I wish we could have done better, but this is what we got from the House, which had been worked on over there with the Republicans, with the Speaker, with Leader PELOSI, and the President's people. This is what we have, and we have had to work through this to do what we could do.

I wish we could have done more, but I am satisfied that this is going to be a broad, broad step forward to help the people of Puerto Rico, who are desperate for help.

I have no objection.

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

Without objection, it is so ordered.

The majority leader.

Mr. MCCONNELL. Mr. President, for the information of our colleagues, this sets up three votes that will allow us to finish the bill later in the day. But I would remind everyone that we have a briefing from 4 to 5 on the ISIL issue, which I would encourage all of our Members to attend.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Mr. President, I rise in very strong opposition to the Puerto Rico Oversight, Management, and Economic Stability Act, the so-called