

parties do not take reservations regarding such arbitrations. The Convention would also require the transparency measures to apply in investor-state arbitrations under those agreements when the United States is the respondent and the claimants consent to their application, even if the claimants are not from a party to the Convention.

The United States was a central participant in the negotiation of the Convention in the UNCITRAL. Ratification by the United States can be expected to encourage other countries to become parties to the Convention. The Convention would not require any implementing legislation.

I recommend, therefore, that the Senate give early and favorable consideration to the Convention and give its advice and consent to ratification by the United States, subject to certain reservations.

BARACK OBAMA.

THE WHITE HOUSE, December 9, 2016.

GEORGE P. KAZEN FEDERAL  
BUILDING AND UNITED STATES  
COURTHOUSE—Continued

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, reclaiming my time, I can't help but note the irony that Senator BOXER, who has done so much to protect special places in California and around our country and who at the same time has consistently worked with our colleague from Oklahoma, Senator INHOFE, on infrastructure—that here they are, after once again coming together—and everybody practically slaps their forehead: How in the world can Senator BOXER and Senator INHOFE keep coming together on all of these kinds of issues? It is because they are real legislators. They are people who don't just throw out press releases, they write legislation. It is hard. It is a heavy lift.

This bill was not easy. To think that Senator BOXER is here on the last night of her time in public service, after she has protected all of these special places and then worked with Senator INHOFE on infrastructure, and we are still faced with this one last hurdle. I have seen a lot of ironies in the Senate. This is just about as dramatic an irony as I have seen.

To me, we have had wonderful statements. My colleague from Oregon laid out very clearly how this rider would compromise good science. That is what this is about. Senator MERKLEY, who knows much more about these subjects, frankly, than I do, went through the biological opinions one by one, the key sections. But the bottom line is, it is compromising good science.

For us in Oregon, you have a water infrastructure bill that is designed to provide support to places like the beautiful Oregon coast. My wife and I were married at Haystack Rock, right in front of the rock, one of the prettiest places on the Oregon coast. Our friend

from Michigan has visited the Oregon coast. This is one of the great American treasures, the Oregon coast and Haystack Rock.

Senator BOXER and Senator INHOFE came up with this terrific bill to provide support to places such as the Oregon coast, where my wife and I were married. You have to say: What is a bill that is designed to provide support for special places really mean when it does not do a whole lot of good if there is no salmon in the ocean, no fishing families or fishing boats in the ports, and no fish at the dinner table? That, colleagues, is what this is really all about.

Now, as far as the infrastructure is concerned, Senator MERKLEY has led this in Oregon and has done terrific work to protect the displaced tribes to ensure that they would have a better quality of life.

I think I have already summed it up. You can't have big-league quality of life with little-league infrastructure. So this legislation ensures that we are going to have that kind of infrastructure. Particularly in rural and coastal Oregon, it would be a huge benefit. But at a time when the Oregon coastal communities need as much help as they can get, the provision that my colleagues—Senator BOXER, Senator CANTWELL, and Merkley—have been talking about deals with drought and really threatens to do just the opposite of providing the help these communities need.

I think that the provision my colleagues have been talking about in effect threatens the very viability of the west coast fishing industry and has literally put so many of the good provisions in this bill at risk.

Senator MERKLEY went into a fair amount of detail—and very eloquently—about the specifics in the drought provisions, so what I would like to do is just highlight a little bit of what I have heard from fishing families on the Oregon coast and what they are concerned about.

Their big concern is that this drought provision basically maximizes water delivery to agribusiness without adequate safeguards for the fisheries that depend on that water. By preauthorizing a number of dams across the entire west coast without additional Congressional oversight, it basically turns years of policy with respect to dams on its head.

We know those issues are tough. We have been dealing with them as westerners for years. But the way we deal with them is collaboratively. That is how Senator BOXER has managed to protect all of these special places. That is how she has managed to work with Senator INHOFE to promote infrastructure at the same time—because we work collaboratively.

That is sure not the case here because all of these small fisheries and the fishing families don't feel they have been consulted. They make a very good case that this really gives the up-

coming administration the authority to determine whether or not salmon is being harmed by maximizing water delivery to big agribusiness.

Water issues for us in the West are never a walk in the park; I think we all understand that. I want to commend our other colleague from California for her hard work. She has put in a tremendous amount of time. I can tell colleagues that she has spoken with me again and again on this issue in order to get an agreement on drought that helps California.

Suffice it to say that Senator MERKLEY and I know our State is no stranger to water challenges, if you just think about the amount of time we spent on the Klamath and the whole host of issues around our State. But, as I touched on, you have to have everybody at the table. It has to be collaborative.

This rider we have been discussing is not a product of compromise. A small west coast industry has been left out of the discussions because the deck was stacked in favor of these very large agribusinesses. Even though those hard-working families in small coastal communities know that a healthy stock of salmon is a lifeline, these stakeholders in the debate not only got short shrift, their voice really was not heard much at all.

So I am going to close by way of saying that we don't think this rider is just about water and agriculture in California; this is going to put at risk the salmon fishing industry up and down the Pacific coast. The drought provision, in my view, threatens to undermine bedrock environmental laws like the Endangered Species Act. We have already touched on the power it would give the new administration to override critical environmental laws.

But if you are not from the Northwest, we have talked—Senator CANTWELL has described so thoughtfully what the stakes are. They are enormous for us in the Pacific Northwest. But no matter how many times the sponsors say they don't think this sets a precedent, I think this is going to be pointed too often in the days ahead as we go forward in this present form as an argument for doing the same sort of thing elsewhere.

I and my northwest colleagues have heard a lot from concerned west coast fishery groups and coastal business owners over the last few days. I am very hopeful—I know we are going to vote here in a bit—that the position my colleagues have outlined against this proposal in its current form is supported here in the Senate.

I thank my colleague for her terrific work on this. We have been in public life now a pretty good stretch of time in both the Senate and the House. This is an area, particularly, where Senator BOXER has shown something that I think is going to stand the test of time—the ability to protect special places, the treasures we want our kids and our grandkids to go to. Scarlett

Willa Wyden, not 4, is my daughter. We are older parents. She has the brightest red hair on the planet. She is going to be able to enjoy some special places because of the work Senator BOXER has done. She has protected those special places while at the same time defying most of what the political observers thought was impossible by teaming up with Senator INHOFE on infrastructure projects that have paid off so tremendously in terms of jobs and quality of life. So it is possible to do this right, but this drought provision doesn't do it. I am very hopeful that the work my colleagues have done will be supported in the Senate.

I thank my colleague for our years and years of friendship.

Mrs. BOXER. I thank my friend so much. Madam President, how much time remains for us?

The PRESIDING OFFICER. The Senator has 20 minutes remaining.

Mrs. BOXER. Madam President, I am going to speak for a little while and then reserve the remainder.

I say to Senator WYDEN, thank you for your words.

I also wish to explain why it was important to take the time at this late hour. We are all exhausted. We must make this case, and I will tell you why—not only for the history books, but for the courthouse.

There is no way that this position is not going to be litigated. That is the tragedy of it, because as my friends know and has been said by all of us, when it comes to water, you need to have everybody around the table.

This provision doesn't do a thing to end the doubt. Let's be clear. All it does is take water away from the fishermen and give it to agribusiness. You know, that doesn't help add any water.

My colleague from California who has worked so hard on this has had some very good language in there about desalinization and about water recharging, but we have that in the base bill. It is already in the base bill.

For the first time, Senator INHOFE and I—and, oh, how I will miss him—made sure we had provisions in the bill that dealt with the drought. We reauthorized the desal program in the United States of America. We have a new program to give funds for new technologies.

We have talked about conservation, water recharging, and underground storage, which my friend Maria talked about. It is in the base bill. So to call this rider about the drought is a misnomer. It is about killing off the fishing industry so ag can have more water. That is not doing anything to help.

I think a lot of what this election was about, as we look at it, was which candidate really spoke to the hopes and dreams of people who work every day.

If we really care about the miners, then we vote against the continuing resolution that turns its back on the miners' widows, and a lot of us did.

On this, it breaks my heart to say this, but filibustering against my own

bill is ridiculous. It is an out-of-body experience. It is kind of Shakespearean. I don't know if it is tragedy, comedy, or what, but it is unbelievable. What a situation. My last moments in the Senate I am spending against a bill that I carry in my heart. It is a beautiful bill.

Yet when are we going to stand up against this kind of blackmail. I don't care whether it comes from a Democrat or a Republican, frankly, and it was not the work of anyone in the Senate.

I say to my friends on the Republican side: I don't blame you for this in any way, shape, or form. You did not do this to me, to us, and to the salmon fisherman. You did not. It was done by a House Member who represents Big Agriculture, and he did it because he could.

When are we going to stand up and say no?

My colleague ELIZABETH WARREN was speaking about this, and she said something to the effect—I am not quoting her exactly right: You take a beautiful piece of legislation, you add a pile of dirt on it, and then you stick a little Maraschino cherry on the top—whether it is Flint, or whatever it is. Then you put people in a horrible position.

So I know this vote may not go the way we want. I have hope that it would. But I understand why it might not. But when are we going to stand and say this is wrong? We have a chance to do it tonight and send a message to everyone. This isn't the way to legislate. This is why people can't stand Congress, with 17 percent approval. If you ask them, do you think it is right to add an unrelated rider in the middle of the night on a bill that has been worked on for 2 years—and, by the way, it is not even in the jurisdiction, Senator INHOFE, of our committee. It is in the jurisdiction of the Energy Committee of Senator MURKOWSKI and Senator CANTWELL. It is awful.

I say to everyone who is in a Western State—not just west coast but Western States, between 11 and 17 States, depending on how you look at it: The next President of the United States and the one after will have the ability to say: We are building a dam right over here and cut out Congress.

Congress has no authority to stop it. It is just incredible. Why would that be done? Why is there that insult to the Members of Congress to take that away? We already don't do earmarks. That is a whole other issue. We are not supposed to anyway. But this is another way to say: Oh, just give it to the executive branch. They will decide where to put dams. I don't know about your experience, but we have had proposals in our State where people wanted to put dams right on an earthquake fault. It took a series of hearings to bring that point to light.

Now there won't be any hearings because President Trump and whoever the next President is—because this bill lasts 5 years—will say: You know what,

my business interests think it will be good to build a dam right over here, and who cares about the consequences.

Look, we know where the people are, the people in my State who really care. Every single major newspaper, every fishery organization—they are frightened. Then when they run them out, they will have more water, and they won't have to fight with them—Big Ag. They will just take the water. That is not right.

I represent all of the people, and I have said for a long time that we must resolve these issues together. It is essential. I am going to call on Senator MURRAY, but I want to say that every environmental group in the country opposes this. The League of Conservation Voters is scoring this, and the Defenders of Wildlife. Trout Unlimited is not a partisan organization. They are recreational fishermen. They are going: Wait a minute; this is a disaster. Environmental entrepreneurs, business people, and very successful business leaders say: Don't do this.

I am sad. My consolation is that if we lose this, my State is going to get a lot of provisions. Good for them. I am happy. I worked hard for it. But you know what, this is wrong.

The reason I wanted to make this record and why I asked my colleagues to please speak is that I want this record to show up in court. This definitely is going to wind up in court, and I want them to hear that Senator BOXER said this was clearly a special interest provision and at the last minute to simply destroy the fishing industry—the jobs—so that Big Ag could get what they wanted. This is not right, and it is a frontal assault on the Endangered Species Act, just overriding every position. We all know that under the Endangered Species Act, we saved the American bald eagle, the great sea turtle, and the California condor—the most magnificent creatures of God. We never would have been able to save them if we had similar language that said that regardless of whether the scientists say there are only three or four pairs of these creatures left, we have decided it is a problem for the economy. We are going to just not worry about them. We never would have saved any of these—God's creatures.

We talk a lot here about God, of our commitment to all of humankind and all of God's creations. We don't have the right to do this. That is why I wanted the time. It wasn't just to hear myself talk. I already gave my farewell speech. That was long enough. I already gave my second speech today. I didn't expect to. Now this is my last one.

Madam President, how much time do we have remaining?

The PRESIDING OFFICER. The Senator has 10 minutes remaining.

Mrs. BOXER. Madam President, I yield to Senator MURRAY for 7 minutes.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. I thank my colleague.

Madam President, I thank my colleagues from the west coast for the amazing job of pointing out the egregious nature of this poison pill amendment that was added to this very critical bill. We are here tonight after midnight talking about the Water Resources Development Act. It is a bill that addresses water resource projects and policies that are very important to our economic development and the environmental welfare of communities in my State and across the Nation. I was proud to work closely with my colleagues on both sides of the aisle to craft this bipartisan WRDA bill. I thank the Senator from California for her tremendous work, listening to all of us, incorporating our ideas and making sure this reflected all of the needs of our States. I personally fought for critical provisions in this bill important to Washington State, making sure our Columbia Basin tribes have an opportunity to give their descendants—the ancient ones—a proper burial and a final resting place. I thank my colleague for putting that in this bill and for keeping our ports competitive, which is extremely important in the Pacific Northwest in our global maritime economy, and making sure our workforce is strong. I am proud it addresses the needs of Flint, MI—and I see my colleagues from Michigan here tonight—communities that have been dealing with lead in their drinking water. This was a good bill. It was a good bill.

But as you have heard, at the last minute, a poison pill rider concerning California water management, in the face of a long-running drought, turned another bipartisan bill into a very—as you have heard—contentious, divisive bill. It is a bill that is especially problematic for our west coast States.

I thank my colleague from Washington, Senator CANTWELL, who has fought diligently, worked hard to get us to where we are, and now has had to turn against this bill because she knows the long-term consequences of this. This was a provision that was added very late. There were no hearings. There was no agreement. It wasn't included in either the House or Senate versions of this bill, and then there was this backroom deal that set new precedent and undermined the Endangered Species Act. It reduces congressional oversight of water projects in our Western States and could harm our commercial, our recreational, and our tribal salmon fisheries along the entire west coast.

Environmental and conservation groups and west coast industries are very opposed to this last-minute backroom deal. I wanted to be here tonight to stand with my colleagues from the west coast. I will vote against this bill tonight because of the inclusion of this last-minute rider, and I urge our colleagues to stand with us as well.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mrs. BOXER. Madam President, I retain the remainder of my time.

The PRESIDING OFFICER. Who yields time?

The Senator from Oklahoma.

Mr. INHOFE. Madam President, I have listened to the words from the other side. I have respect for them and their thoughts. I don't agree with them. But I wish to share a couple of things with the Senate.

First of all, people need to understand what we went through on this bill. There were 2 years of work. It has been a long, involved time for all of us. Particularly, we had Mr. Jackson, Mr. Herrgott, Susan Bodine. These are experts in different areas. She is the water expert. Charles Brittingham has been crucial to this becoming law; he knows that end of it. The Corps operations—Charles Brittingham knows more about the Corps operations and worked tirelessly. These guys worked for several hours on this thing for many, many weeks. Byron Brown negotiated the coal ash. The coal ash issue is a huge issue. The States have been wanting this for a long period of time. It was a compromise, and everyone was happy with it.

I wish to thank Jennie Wright, Andrew Neely, Andrew Harding, Carter Vella, Amanda Hall, Devin Barrett, and Joe Brown. And from Senator BOXER's staff, I don't think we could have gotten this done without the long hours of Jason Albritton and others from her staff, like Ted Ilston. The CBO staff came in and they worked very hard on this. Aurora Swanson was always available. I thank the Senate legislative counsel, including Deanna Edwards, Maureen Contreni, and Gary Endicott.

We have a lot of people involved in this. I don't want people to think this is just another bill that came along and it is time for it to be considered.

We could have done this a long time ago. We weren't quite ready. It took time for all of us to get together, and I think it is important. We have heard others talk about one major provision in the bill, and I wish to address that in a moment, but we should stop and think about what is in this.

We have 30 new navigation, flood control, and environmental restoration projects and modify 8 existing projects based on reports submitted to Congress by the Secretary of the Army. These projects support our Nation's economic competitiveness and well-being by deepening nationally significant ports. Everyone here knows which ones we are talking about.

The bill also includes ecosystem restoration in the Florida Everglades, which will fix Lake Okeechobee and stop the algae blooms on the Florida coasts.

The bill includes ongoing flood control and navigation safety in the Hamilton City project—that is in California—and the Rio de Flag project in Arizona.

It includes programs that will help small and disadvantaged communities provide safe drinking water and will help communities address drinking water emergencies like the one facing the city of Flint, MI.

The bill includes the Gold King Mine. The people in California, and certainly Senators GARDNER, BENNET, and UDALL, spent a lot of time on it. It is in this bill.

The bill includes the rehabilitation of high hazard potential dams. This section of the bill authorizes FEMA assistance to States to rehabilitate the unsafe dams. This is significant. There are 14,724 what they call high hazard potential dams in the United States. That means that if a dam fails, lives are at stake. The program will prevent loss of lives. We have talked about this on the floor. That is significant—14,726.

The WRDA bill is bipartisan and will play a critical role in addressing problems facing the communities.

I want to make sure everybody understands how long we have been talking about the Flint, MI, tragedy. We have been talking about it for a long time. It is in here. The solution is in here. The bill we just passed, that is an appropriation, but the authorization has to be there. I would say this: Since I am looking across at the two Senators from Michigan, I know they are concerned with this. We have to understand that without this authorization, this bill, there would be no Flint relief, none whatsoever.

I will yield some time to either of the two Senators from Michigan—Senator STABENOW—for any comments she wants to make about this. But I hope she understands, as I yield time that she would be requesting, that without this bill, there is nothing for Flint.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Thank you very much. First, I wish to thank the chairman of EPW for his very hard work on behalf of the 100,000 people in the city of Flint and his incredible staff, all of his staff who have been following this.

Madam President, I ask unanimous consent to have printed in the RECORD a list of all of the staff. I want to make sure they are in the RECORD so we can properly thank all of them.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Approps Vice Chair Barbara Mikulski: Chuck Kieffer, Staff Director, Melissa Zimmerman, Interior Approps; EPW Ranking Member Barbara Boxer: Bettina Poirier, Staff Director, Jason Albritton, Senior Advisor; EPW Chair Inhofe: Alex Hergott, Deputy Staff Director, Susan Bodine, Chief Counsel; Gary Peters: David Wineburg, LD, Bentley Johnson, LA; Chuck Schumer: Gerry Petrella; Debbie Stabenow: Matt VanKuiken, Kim Corbin, Aaron Suntag.

Ms. STABENOW. This is, on the one hand, a very important time where we finally are saying to the people we have been fighting for, for over a year: We see you, we hear you, and we are going to be able to get something done

so you can turn the faucet on and actually have clean, safe water come out of the faucet. We all take that for granted.

I have to say it is also bittersweet, though, when I look to my colleagues, Senator BOXER and Senator CANTWELL, who have spent more time working than anyone else I have worked with, other than working with Senator INHOFE and his staff. They have worked so hard to help us get to this point, only to find us in this situation because of what the House did, where we can't all be unified. It is something I feel very sad about and regret deeply.

Senator MURKOWSKI and Senator CANTWELL were very instrumental in spending hours and hours early on in the year trying to get something done as it related to the Energy bill. I regret that the Energy bill is not part of what is being done by the end of this year. The Democratic leader, the majority leader, certainly Senator PETERS, and I have been fighting together for a year and beyond in terms of what the people of Flint need.

But I want to say just one thing to really focus on this. There are many needs, there are many issues, but there are people whose health is literally permanently damaged; 9,000 children under the age of 6 who have been so exposed to lead that they may not have the opportunity to have a healthy, full life, where they can focus in the future as they otherwise would, because of developmental concerns. So we have people who are in a crisis situation. This bill needs to get passed for them. They have waited and waited while other things have been done the entire year. It is time for them to stop having to wait.

This is the opportunity for us to actually take an entire city—no place else in the country is there an entire city that has not been able to use their water system because of fear of lead poisoning. That is what is happening in this community. And this bill authorizes funding to be able to fix that and give them the dignity we all take for granted of safe drinking water.

Thank you.

Mr. INHOFE. Madam President, reclaiming my time, let me just say that I saw the other Senator from Michigan nodding with approval and agreement.

So this can happen, and that is why it is in here. I have to say to both Senators from Michigan—and we on this side worked very closely together to make this happen. That wasn't really easy. But now there is an agreement, and I think that is a very important part of this.

Let me mention one of the things the Senator from Oregon made some comments about, about Senator BOXER and me, the things we have done together, and we have. It does show, though, that we can disagree, but that doesn't change my feelings about Senator BOXER.

I want to conclude just by saying something that I don't think people

have heard. They talk about the drought provision as if something evil put that together. Well, the White House put it together. It was drafted by the U.S. Department of the Interior and the U.S. Department of Commerce.

The savings clause—we have spoken about that. According to the White House, the savings clause prohibits any Federal agency under any administration from taking any action that would violate any environmental law, including the Endangered Species Act and the biological opinions. Don't take my word for it; just ask Senator FEINSTEIN. We talked about this on the floor.

This was put together by those Departments, and the savings clause that is there is strong. And according to them—not to me; I actually don't know that much about it, but they do because this is their area of specialty—they say this prevents any type of action.

With that, I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator there California.

Mrs. BOXER. Madam President, I love my colleague. However, the White House strongly opposes this rider, and we have it in clear writing. They issued that notice. They didn't issue a veto because, as Senator STABENOW points out, they are torn.

But let's be clear. All we have to do is strip this poison pill and we have a gorgeous bill that saves Flint, that helps us all, where we can smile and I can leave here with a really nice lift in my step rather than leaving here sad that we are threatening a magnificent historical industry called the fishing industry, where people go out and work for their families on little boats, some of them big boats. So what we are saying is we have no choice; we have to swallow this poison pill and, thank God, help the people of Flint, thank the Lord. God, we should have done that a long time ago. Oh my Lord, thank you, JIM INHOFE, for your work on that. Thank you, DEBBIE and GARY and all the staff. But now we have a circumstance where we are saying yes to that and no to our entire industry on the entire west coast. And every single editorial in California, where—as my friend points out, the underlying bill—I have never gotten as much for California; I almost don't want to say it—26 provisions, everything from Lake Tahoe to the Salton Sea, from the Sacramento River to the San Francisco Bay, to Orange County, the Inland Empire, Republican parts of my State, Democratic parts of my State, amazing work that was done.

Yet, as we pass this, which we may because of the situation, I want everyone here to understand that there are people who are shivering and shaking because they know the water they need to support their livelihood is going to be diverted away. This isn't a drought provision; this is taking water from one group that desperately needs it to sustain their business—the salmon

fishery—and giving it to Big Agri-culture.

We all need to come together. I represent all of those interests, including urban users and rural users and suburban users and farmers and the fishery. As my friend MARIA CANTWELL pointed out when she had a voice this afternoon—she said: Can you really think about the long-range issue here, which is if you drive out the salmon fishermen, they are gone, and then all the water can be taken away, and they won't be there? It is so sad to do such a thing without a hearing—without a hearing.

By the way, you can say anything. You can say you are saving anything. You can say it; it doesn't mean it is true. So let me say for the court record—because this is going to go to a lawsuit immediately—if you are listening and you are reading this, you can say anything. If you send a bomb over to another country and bomb the heck out of them and they say “Wait a minute, this is an act of war,” you can say “No, it isn't. We said it wasn't an act of war; we are just trying to teach you a lesson.” You can say anything. It is what you do that matters. And when you have operations language that says you must use so much water, the maximum water, even though the biological opinion says that it will destroy the fishery, this is a real problem.

I reserve the remainder of my time.

Mr. INHOFE. I would inquire as to how much time remains.

The PRESIDING OFFICER. The Senator from Oklahoma has 9 minutes remaining; the Senator from California has 2½ minutes remaining.

Mr. INHOFE. Well, I just consulted with my staff.

I know you believe in this or you wouldn't have said it, but the administration cannot be opposed to this. As a matter of fact, the administration drafted this. Everyone liked the underlying bill before the change was made, but then the Department of—and I will repeat this.

“Section 4012 includes a savings clause—a savings clause written by the U.S. Department of Interior and Commerce”—that is the White House—“that ensures that the entire subtitle must be implemented in accordance with the Endangered Species Act, or the smelt and salmon biological opinions.”

So I would just say, in response, they are the ones who drafted that.

Here is a bill that everybody talked about—my friend from California and myself included and more than half the people. Then, when that provision was put in by those two departments, all of a sudden it is a bad bill. That is what I don't understand and I don't agree with. They are very emphatic in their paper that they wrote, with their opinions, putting this provision in.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Madam President, I did not say this was a bad bill. I said this

is a beautiful bill with a bad rider dropped on us. That was what I was talking about, the bill that was placed on top of WRDA. It is awful. The White House said: We do not support the kinds of proposals that have been put forward to address the water resource issues in California right now.

For every major newspaper in my State to come out—I don't think we ever argue about this because it is a California issue, it is a west coast issue. If it doesn't bother you, fine, but the bottom line is, a beautiful bill was hijacked, and it is going to result in the loss of the fishing industry. I can assure my friend, if you had a proposal—and you have had some—that threatened your oil industry, you are down there and I say: Fine, that is your job. It is my job to defend my fishing industry.

So there is nothing anyone can tell me that changes my mind, even though this puts me in a tough, tough, tough spot because the rest of the bill is beautiful and I greatly enjoyed working on it. But I know this stuff. Every single fishery organization opposes it. It is opposed strongly. Even Trout Unlimited—you know those folks. They don't get involved that often. Every single major newspaper opposes it, every single environmental organization. The White House said: We do not support the kinds of proposals that have been put forward to address some of the water resource issues.

Those are the facts. They are not subject to interpretation.

So let's be fair. We have a beautiful bill called WRDA. Standing on its own, it is one of my proudest accomplishments that I share with my chairman, but this rider did not belong in it.

Our position is, bring this bill down, strip the rider. You will have agreement, you will have the bill, and we can all go home happily. I know that is a very heavy lift, but that is the rationale. I hope when this thing gets to court—and it will get to court—that our words will be entered into the court record here. We know what we are talking about because we are from the West Coast.

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

Mrs. BOXER. All right.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Madam President, I am about to yield back my time, except to make one last comment.

Everyone agrees it is a beautiful bill. They talk about the rider, but the rider came, not from someone else, it came from the Department of Commerce and the Department of the Interior, and that is the administration. So they are the ones that, I guess, made it into a bad bill, but nonetheless it is a good bill. It is one we all want, and I encourage my colleagues to support it.

Madam President, I yield back the remainder of my time.

#### 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 legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to concur in the House amendment to Calendar No. 65, S. 612, an act to designate the Federal building and United States courthouse located at 1300 Victoria Street in Laredo, Texas, as the "George P. Kazen Federal Building and United States Courthouse."

James M. Inhofe, Roger F. Wicker, Orrin G. Hatch, Johnny Isakson, John Cornyn, Thad Cochran, Mike Crapo, Pat Roberts, Bill Cassidy, John Hoeven, John Barrasso, Thom Tillis, John Boozman, John Thune, Daniel Coats, Marco Rubio, Mitch McConnell.

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. 612 shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Arkansas (Mr. COTTON).

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

The yeas and nays resulted—yeas 69, nays 30, as follows:

[Rollcall Vote No. 162 Leg.]

#### YEAS—69

Alexander	Enzi	Mikulski
Ayotte	Ernst	Moran
Barrasso	Feinstein	Murphy
Bennet	Fischer	Nelson
Blumenthal	Franken	Perdue
Blunt	Gardner	Peters
Booker	Graham	Portman
Boozman	Grassley	Risch
Burr	Hatch	Roberts
Capito	Heitkamp	Rounds
Carper	Heller	Rubio
Casey	Hoeven	Schatz
Cassidy	Inhofe	Scott
Coats	Isakson	Shaheen
Cochran	Johnson	Stabenow
Collins	Kaine	Sullivan
Coons	Kirk	Tester
Corker	Klobuchar	Thune
Cornyn	Lankford	Tillis
Crapo	Leahy	Toomey
Cruz	Manchin	Vitter
Daines	McConnell	Warner
Donnelly	Menendez	Wicker

#### NAYS—30

Baldwin	King	Reid
Boxer	Lee	Sanders
Brown	Markey	Sasse
Cantwell	McCain	Schumer
Cardin	McCaskill	Sessions
Durbin	Merkley	Shelby
Flake	Murkowski	Udall
Gillibrand	Murray	Warren
Heinrich	Paul	Whitehouse
Hirono	Reed	Wyden

#### NOT VOTING—1

Cotton

The PRESIDING OFFICER. On this vote, the yeas are 69, the nays are 30.

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

The motion to refer falls.

Under the previous order, all postcloture time is expired.

MOTION TO CONCUR WITH AMENDMENT NO. 5144

#### WITHDRAWN

Under the previous order, the motion to concur with an amendment is withdrawn.

#### VOTE ON MOTION TO CONCUR

Under the previous order, the question occurs on agreeing to the motion to concur in the House amendment to S. 612.

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Arkansas (Mr. COTTON).

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

The result was announced—yeas 78, nays 21, as follows:

[Rollcall Vote No. 163 Leg.]

#### YEAS—78

Alexander	Enzi	Menendez
Ayotte	Ernst	Mikulski
Baldwin	Feinstein	Moran
Barrasso	Fischer	Murkowski
Bennet	Franken	Murphy
Blumenthal	Gardner	Nelson
Blunt	Graham	Perdue
Booker	Grassley	Peters
Boozman	Hatch	Portman
Brown	Heinrich	Risch
Burr	Heitkamp	Roberts
Capito	Heller	Rounds
Cardin	Hoeven	Rubio
Carper	Inhofe	Schatz
Casey	Isakson	Scott
Cassidy	Johnson	Shaheen
Coats	Kaine	Stabenow
Cochran	King	Sullivan
Collins	Kirk	Tester
Coons	Klobuchar	Thune
Corker	Lankford	Tillis
Cornyn	Leahy	Toomey
Crapo	Manchin	Udall
Cruz	Markey	Vitter
Daines	McCaskill	Warner
Donnelly	McConnell	Wicker

#### NAYS—21

Boxer	McCain	Sasse
Cantwell	Merkley	Schumer
Durbin	Murray	Sessions
Flake	Paul	Shelby
Gillibrand	Reed	Warren
Hirono	Reid	Whitehouse
Lee	Sanders	Wyden

#### NOT VOTING—1

Cotton

The motion was agreed to.

#### DIRECTING THE SECRETARY OF THE SENATE TO MAKE A CORRECTION IN THE ENROLLMENT OF THE BILL S. 612

The PRESIDING OFFICER. Under the previous order, the clerk will report H. Con. Res. 183.

The senior assistant legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 183) directing the Secretary of the Senate to make a correction in the enrollment of the bill S. 612.