

Mr. MCCAIN, Mr. TILLIS, Mr. HATCH, Mr. PERDUE, Mr. WICKER, Mr. RUBIO, Mr. DAINES, Mr. BOOZMAN, Mr. JOHNSON, Mr. CORNYN, Mr. CRUZ, Mr. YOUNG, Mr. MCCONNELL, Mr. ENZI, Mr. GARDNER, Mr. LANKFORD, and Mr. TOOMEY):

S. Res. 26. A resolution designating the week of January 22 through January 28, 2017, as "National School Choice Week"; considered and agreed to.

By Mr. CRUZ (for himself, Mr. NELSON, Mr. PETERS, Mr. DURBIN, Mr. VAN HOLLEN, Mr. RUBIO, Mr. INHOFE, Ms. HASSAN, Mr. CORNYN, Mr. THUNE, Mr. WICKER, and Mr. GARDNER):

S. Res. 27. A resolution honoring the life and achievements of Eugene A. "Gene" Cernan; to the Committee on the Judiciary.

By Mr. BARRASSO (for himself and Ms. HEITKAMP):

S. Con. Res. 6. A concurrent resolution supporting the Local Radio Freedom Act; to the Committee on Commerce, Science, and Transportation.

ADDITIONAL COSPONSORS

S. 21

At the request of Mr. PAUL, the names of the Senator from Georgia (Mr. PERDUE), the Senator from Ohio (Mr. PORTMAN) and the Senator from Arizona (Mr. FLAKE) were added as cosponsors of S. 21, a bill to amend chapter 8 of title 5, United States Code, to provide that major rules of the executive branch shall have no force or effect unless a joint resolution of approval is enacted into law.

S. 26

At the request of Mr. WYDEN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 26, a bill to amend the Ethics in Government Act of 1978 to require the disclosure of certain tax returns by Presidents and certain candidates for the office of the President, and for other purposes.

S. 27

At the request of Mr. CARDIN, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 27, a bill to establish an independent commission to examine and report on the facts regarding the extent of Russian official and unofficial cyber operations and other attempts to interfere in the 2016 United States national election, and for other purposes.

S. 47

At the request of Mr. RUBIO, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 47, a bill to prevent proposed regulations relating to restrictions on liquidation of an interest with respect to estate, gift, and generation-skipping transfer taxes from taking effect.

S. 54

At the request of Ms. CANTWELL, her name was added as a cosponsor of S. 54, a bill to prohibit the creation of an immigration-related registry program that classifies people on the basis of religion, race, age, gender, ethnicity, national origin, nationality, or citizenship.

S. 56

At the request of Mr. SULLIVAN, the name of the Senator from Iowa (Mrs. ERNST) was added as a cosponsor of S. 56, a bill to require each agency to repeal or amend 2 or more rules before issuing or amending a rule.

S. 80

At the request of Mr. CRAPO, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 80, a bill to protect the right of individuals to bear arms at water resources development projects.

S. 81

At the request of Ms. KLOBUCHAR, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 81, a bill to establish an advisory office within the Bureau of Consumer Protection of the Federal Trade Commission to prevent fraud targeting seniors, and for other purposes.

S. 86

At the request of Mr. MCCAIN, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of S. 86, a bill to amend the Veterans Access, Choice, and Accountability Act of 2014 to modify the termination date for the Veterans Choice Program.

S. 104

At the request of Mrs. GILLIBRAND, the names of the Senator from Delaware (Mr. COONS), the Senator from Nevada (Ms. CORTEZ MASTO) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of S. 104, a bill to provide for the vacating of certain convictions and expungement of certain arrests of victims of human trafficking.

S. 139

At the request of Mr. HATCH, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 139, a bill to implement the use of Rapid DNA instruments to inform decisions about pretrial release or detention and their conditions, to solve and prevent violent crimes and other crimes, to exonerate the innocent, to prevent DNA analysis backlogs, and for other purposes.

S. 143

At the request of Mr. CASEY, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 143, a bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for amounts paid by a spouse of a member of the Armed Forces for a new State license or certification required by reason of a permanent change in the duty station of such member to another State.

S. 145

At the request of Mr. HELLER, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 145, a bill to require the Secretary of the Interior and the Secretary of Agriculture to more efficiently develop domestic sources of the minerals and mineral materials of strategic and critical importance to the economic and

national security and manufacturing competitiveness of the United States, and for other purposes.

S. 166

At the request of Mr. HATCH, the name of the Senator from Kentucky (Mr. MCCONNELL) was added as a cosponsor of S. 166, a bill to require the Secretary of the Treasury to mint coins in commemoration of Muhammad Ali.

S. 168

At the request of Mr. WICKER, the names of the Senator from Hawaii (Mr. SCHATZ), the Senator from Alaska (Mr. SULLIVAN) and the Senator from Missouri (Mrs. MCCASKILL) were added as cosponsors of S. 168, a bill to amend and enhance certain maritime programs of the Department of Transportation.

S. 169

At the request of Mr. RUBIO, the names of the Senator from Mississippi (Mr. WICKER) and the Senator from Oklahoma (Mr. INHOFE) were added as cosponsors of S. 169, a bill to counter anti-Semitism at the United Nations, and for other purposes.

S. 170

At the request of Mr. RUBIO, the names of the Senator from Mississippi (Mr. WICKER), the Senator from Oklahoma (Mr. LANKFORD), the Senator from Indiana (Mr. YOUNG), the Senator from West Virginia (Mrs. CAPITO), the Senator from Oklahoma (Mr. INHOFE), the Senator from Georgia (Mr. PERDUE) and the Senator from Nevada (Mr. HELLER) were added as cosponsors of S. 170, a bill to provide for nonpreemption of measures by State and local governments to divest from entities that engage in commerce-related or investment-related boycott, divestment, or sanctions activities targeting Israel, and for other purposes.

S. 179

At the request of Mr. GRASSLEY, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 179, a bill to expand the use of E-Verify, to hold employers accountable, and for other purposes.

S. 184

At the request of Mr. WICKER, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 184, a bill to prohibit taxpayer funded abortions.

S.J. RES. 5

At the request of Mr. CARDIN, the names of the Senator from California (Ms. HARRIS), the Senator from New Hampshire (Ms. HASSAN), the Senator from New Mexico (Mr. HEINRICH), the Senator from Illinois (Mr. DURBIN) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of S.J. Res. 5, a joint resolution removing the deadline for the ratification of the equal rights amendment.

S.J. RES. 6

At the request of Mr. MENENDEZ, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of

S.J. Res. 6, a joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women.

S. CON. RES. 4

At the request of Mr. CARDIN, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. Con. Res. 4, a concurrent resolution clarifying any potential misunderstanding as to whether actions taken by President-elect Donald Trump constitute a violation of the Emoluments Clause, and calling on President-elect Trump to divest his interest in, and sever his relationship to, the Trump Organization.

S. RES. 6

At the request of Mr. RUBIO, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. Res. 6, a resolution objecting to United Nations Security Council Resolution 2334 and to all efforts that undermine direct negotiations between Israel and the Palestinians for a secure and peaceful settlement.

S. RES. 9

At the request of Mr. HATCH, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. Res. 9, a resolution honoring in praise and remembrance the extraordinary life, steady leadership, and remarkable, 70-year reign of King Bhumibol Adulyadej of Thailand.

S. RES. 15

At the request of Mr. LEE, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. Res. 15, a resolution expressing the sense of the Senate that the Mexico City policy should be permanently established.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. FLAKE:

S. 195. A bill to expedite the deployment of highway construction projects; to the Committee on Environment and Public Works.

Mr. FLAKE. Mr. President, I rise to speak of legislation I am introducing today—the Transportation Investment Recalibration to Equality Act, or the TIRE Act. The TIRE Act would suspend the Davis-Bacon prevailing wage requirement on all transportation-related infrastructure contracts. This would free up billions more in taxpayer dollars to be spent on jobs and on projects.

For those who are not familiar, Davis-Bacon is a Depression-era law that requires contractors on Federal construction projects to pay workers no less than the so-called local prevailing wage. Now, since its enactment over 80 years ago, the Department of Labor has been unable to devise an effective system for determining prevailing wages.

In fact, a 2004 Department of Labor inspector general report revealed that

Federal wage reporting surveys, which are a key metric used to determine prevailing wages, are fundamentally flawed. Of all the wage report surveys reviewed by the IG, 100 percent contained flaws. Let me say that again: 100 percent of all the surveys were flawed.

In addition, some of the wage surveys have not been updated since the 1980s. The bottom line is that every time Davis-Bacon applies to a Federal project, less money is going to construction and more money is going to meet onerous wage requirements. According to the Beacon Hill Institute, Davis-Bacon forces taxpayers to pay 22 percent above the market rate for labor on Federal infrastructure projects.

This is largely the result of disproportionate union participation in flawed wage surveys that skew Federal decisionmaking. Now, despite representing only 4 percent of the construction industry, unions are able to leverage their clout with Federal bureaucrats to inflate more than 60 percent of prevailing wages—talk about benefitting a few at the expense of the many.

Here is some perspective on what it means in real dollars. In 2016, the Federal Government spent \$23 billion on Federal construction projects, and 2.1 billion of these dollars was spent on above-rate labor costs.

Again, \$2.1 billion of the \$23 billion spent was on above-market-rate labor costs. This means that nearly 10 percent of all Federal construction spending last year went to inflated contracts. Not only does this translate into less construction funding going to actual construction, but according to George Mason University, it results in roughly 30,000 lost construction jobs.

So we lose both on the projects and the jobs that are created. More broadly, it discriminates against small businesses that don't have the resources to meet onerous Federal reporting and compliance requirements. Now, while it may be well-intentioned, Davis-Bacon ends up eliminating decent-paying construction jobs and hampering infrastructure spending.

I have often talked to State and local officials who will say that if you have two bridges across the same river, even if they are just 100 yards or 200 yards or a mile apart with the same underlying costs—or what should be the same underlying costs—if there are Federal moneys involved in one and no Federal moneys involved in the other, the one with Federal moneys will cost significantly more, and a big portion of that is because of Davis-Bacon requirements.

Now, in this body, we have to look for issues to bridge the partisan divide. It turns out that one of these issues is bridges, roads, dams, and other infrastructure projects. Fixing our Nation's crumbling infrastructure is a top priority for many in Congress, and the new administration has touted a large infrastructure package as one of its agenda items.

However, despite the bipartisan consensus on both ends of Pennsylvania Avenue for infrastructure investment, visions for the road ahead actually diverge. With a projected pricetag north of \$800 billion for highways and bridges alone, every Federal dollar needs to be spent as efficiently as possible.

The TIRE Act will return wage determinations for Federal transportation projects where they belong, and that is the market.

By Mr. CORNYN (for himself and Mr. CRUZ):

S. 201. A bill to amend the Internal Revenue Code of 1986 to ensure that new wind turbines located near certain military installations are ineligible for the renewable electricity production credit and the energy credit; to the Committee on Finance.

Mr. CORNYN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 201

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Protection of Military Airfields from Wind Turbine Encroachment Act".

SEC. 2. NEW WIND TURBINES LOCATED NEAR CERTAIN MILITARY INSTALLATIONS.

(a) IN GENERAL.—Paragraph (1) of section 45(d) of the Internal Revenue Code of 1986 is amended by striking "Such term" and all that follows through the period and inserting the following: "Such term shall not include—

"(A) any facility with respect to which any qualified small wind energy property expenditure (as defined in subsection (d)(4) of section 25D) is taken into account in determining the credit under such section, or

"(B) any facility which is originally placed in service after the date of the enactment of the Protection of Military Airfields from Wind Turbine Encroachment Act and is located within a 30-mile radius of—

"(i) an airfield or airbase under the jurisdiction of a military department which is in active use, or

"(ii) an air traffic control radar site, weather radar site, or aircraft navigation aid which is—

"(I) owned or operated by the Department of Defense, and

"(II) a permanent land-based structure at a fixed location.".

(b) QUALIFIED SMALL WIND ENERGY PROPERTY.—Paragraph (4) of section 48(c) of the Internal Revenue Code of 1986 is amended—

(1) by redesignating subparagraph (C) as subparagraph (D), and

(2) by inserting after subparagraph (B) the following:

"(C) EXCEPTION.—The term 'qualifying small wind energy property' shall not include any property which is originally placed in service after the date of the enactment of the Protection of Military Airfields from Wind Turbine Encroachment Act and is located within a 30-mile radius of any property described in clause (i) or (ii) of section 45(d)(1)(B)."

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to property placed in service after the date of the enactment of this Act.