

be undertaken by a Chinese company because the Federal Rail Administration, unlike the Federal Transit and Federal Highway Administration, doesn't have the "Buy American" provision. An American company was ready to build this bridge, but because of this loophole the contract went to a Chinese company using Chinese steel. Isn't it frustrating that the infrastructure to provide access to a military base involves jobs and the steel going across the Pacific Ocean?

Then I wanted to note that a related amendment led by Senator SHERROD BROWN, No. 1807, addresses another "Buy American" challenge. States have been using a project segmentation loophole to avoid putting Americans to work, to avoid the "Buy American" seal.

The Bay Bridge in California put in 12 separate projects so that Federal funds would only apply to a couple of those pieces. This allows the bulk of the bridge to be built—you guessed it—with Chinese steel, by Chinese workers. My amendment is modeled after a Republican amendment in the House Transportation bill, by Representative CRAVAACK of Minnesota, to close this loophole and ensure that the spirit of the law is upheld. These provisions were incorporated into the amendment led by Senator SHERROD BROWN.

I urge my colleagues to support these amendments to make these common-sense fixes to our transportation program. We must have debate on the amendments on the Senate floor. This room should not be empty. The conversation should not be quiet because transportation is at the heart of our economy.

We have a construction industry that is flat on its back. We have interest rates that are low. We have infrastructure that needs to be built. This is a win-win for our future economy and our current workers and our current economy.

Let's get to work. I ask my colleagues to continuously object to amendments being debated—for those listening in, the Senate has had a rule that any Senator can block an amendment. We have to get 100 percent of the Senators to agree to bring an amendment to the floor. The social contract that allows this to happen on a regular and orderly fashion in the past has been broken. So while families across this country look to us to put a transportation plan into place for our future economy and to put America back to work now, we are sitting here fiddling. Let's end the fiddling and do our work so America can do its work of rebuilding our highway infrastructure.

Madam President, I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

TO APPLY THE COUNTERVAILING DUTY PROVISIONS OF THE TARIFF ACT OF 1930 TO NONMARKET ECONOMY COUNTRIES

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate having received H.R. 4105, the text of which is identical to S. 2153, the Senate proceeds to the consideration of H.R. 4105, the bill is considered read a third time and passed, and the motion to reconsider is considered made and laid upon the table.

MOVING AHEAD FOR PROGRESS IN THE 21ST CENTURY ACT

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 1813, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 1813) to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes.

Pending:

Reid amendment No. 1761, of a perfecting nature.

Reid amendment No. 1762 (to amendment No. 1761), to change the enactment date.

Reid motion to recommit the bill to the Committee on Environment and Public Works, with instructions, Reid amendment No. 1763, to change the enactment date.

Reid amendment No. 1764 (to (the instructions) amendment No. 1763), of a perfecting nature.

Reid amendment No. 1765 (to amendment No. 1764), of a perfecting nature.

The ACTING PRESIDENT pro tempore. The Senator from California.

Mrs. BOXER. Madam President, I thought I would use this opportunity to inform our colleagues and anyone following this transportation debate as to where we are.

Yesterday, we had an opportunity to stop the filibuster and get right to our bill and get it done and protect 1.8 million jobs and create another 1 million. We didn't do that—pretty much on a party line vote. The filibuster continues.

The hopeful sign we had was right before the vote when the Republican leader said he was open to reaching an agreement. I was hopeful that agreement would not contain extraneous votes. I don't think that is going to happen. I think we are going to face extraneous votes—to repeal Clean Air Act rules, to open our States to drilling that rely on fishing and tourism and recreation when we know the oil companies have millions of acres they can drill on without going to these

areas that are so essential to our economic future just as they are to our environmental future. It looks as though we are going to face that and a vote probably on the Keystone XL Pipeline.

Again, I am very sad we could not come together when we have a bill that got an 85-to-11 vote to proceed to it. We still have to face a filibuster and still we had to lose two votes to cut off debate. But the Senate, being the Senate, this is it.

So now we have to vote. The two leaders can agree. I hope they can work together to achieve an agreement whereby we would have votes on these extraneous matters, and, hopefully, we would not have a prolonged debate on them because this is a highway bill. Thousands and thousands of businesses are waiting for us to act. By March 31, if we don't act, everything stops. In your State and mine all these highway projects will shut down with no Federal contribution at all, which is most of them.

I am hopeful. I cannot report to the Senate that we have an agreement now, but I hope we will have one at some point today. Once we do have that, we have a path forward; and if we work together in goodwill, we can get this done.

Frankly, I don't think we have a choice but to get it done. Everything, as I said, expires March 31. Here it is March 7 and we have a few days left before this whole thing blows up, and we will have no highway bill and people will be laid off.

In this economic time, that is the last result we need. We need to fix our highways, bridges, and roads.

Madam President, the occupant of the chair is a proud member of the Environment and Public Works Committee. She has worked hard to get us to this day. I know she has worked hard to bring this debate to a close and get a path forward. We can all hope that happens today.

I will be back on the floor with Senator INHOFE. I am hopeful the two of us can lead us through this bill and get this bill done. Then I think we can have the House follow our example of Democrats and Republicans working together. If they start that over there, they will have the bill quicker than they think, and we can finally put this behind us and send a message that we are functioning.

This concept of a Federal highway system was brought to us by a Republican President, Dwight Eisenhower. He understood logistics better than most. He knew we could not have a thriving economy if we could not move goods and people. So I am hopeful. I will be back on the Senate floor when we have an agreement and we can move forward.

I will yield the floor, as I know the Senator from Vermont is here. I always look forward to his comments.

The ACTING PRESIDENT pro tempore. The Senator from Vermont.